

APPLICATION NUMBER

**5318**

A REQUEST FOR

**USE VARIANCE TO ALLOW A MACHINE AND  
FABRICATION SHOP IN A B-2, NEIGHBORHOOD  
BUSINESS DISTRICT; THE ZONING ORDINANCE  
REQUIRES A MINIMUM OF AN I-1, LIGHT INDUSTRIAL  
DISTRICT**

LOCATED AT

**1004 DAUPHIN ISLAND PARKWAY**

(West side of Dauphin Island Parkway, 220' ± North of Woodlawn Drive North)

APPLICANT

**DAVID D. BROWN**

OWNER

**CENTRAL BAPTIST CHURCH**

**BOARD OF ZONING ADJUSTMENT**

JULY 2005

The applicant is requesting a Use Variance to allow a machine and fabrication shop in a B-2, Neighborhood Business District; the Zoning Ordinance requires a minimum of an I-1, Light Industrial District.

The applicants states that Mobile Sheet Metal Company, Inc. (MSM) proposes to relocate its manufacturing facilities from 1564 Hurltel Street to this location. The applicant states that the company is in the business of fabricating metal enclosures for large industrial equipment, newspaper and vending machines. The applicant states that currently the company employs ten people; however, the increase in space would allow MSM to add six more employees within the first year.

The applicant states the hours of operation are from 6:00 AM to 4:30 PM, Monday through Thursday, and that they would never run more than one shift no more than five days a week. The applicant states that the powder coating technique has no hazardous chemicals and does not emit any noise or dusty conditions that would impact the neighborhood. Additionally, the activities are confined within the building with no outside contracting, and no equipment outside the building.

The applicant is requesting that the property be allowed a Light Industrial use, and the approval of this request would essentially create a new I-1, Light Industrial District. Moreover, it should be noted that Use Variances may alter the character of a neighborhood beginning a domino effect, as adjacent properties seek similar requests due to the changing character of the area.

The applicant is considering relocating to a larger facility to increase production, the applicant should seek a more appropriate and properly zoned site.

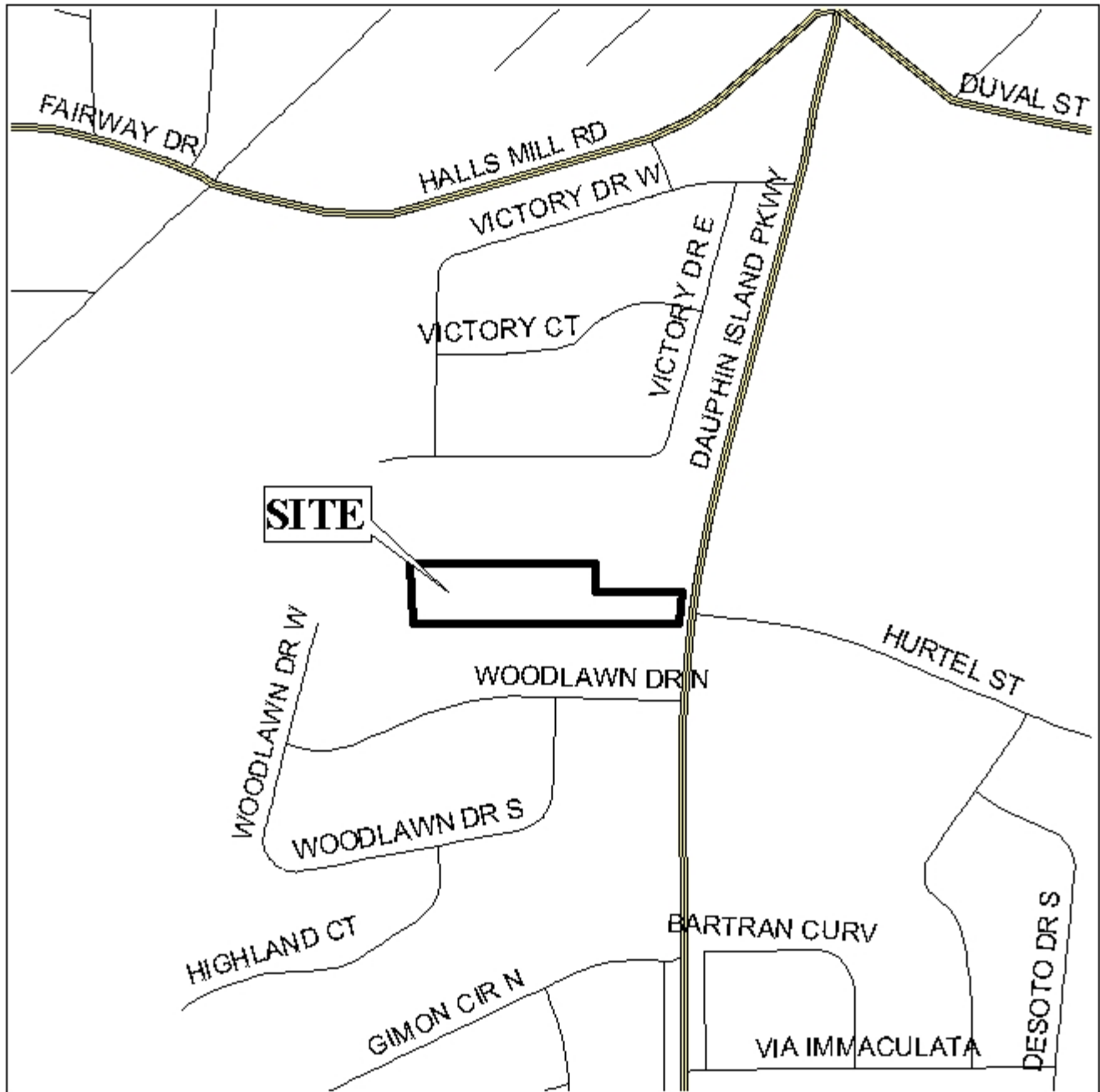
The Ordinance states that no variance shall be granted where economics are the basis for the application. Additionally, no variance shall be granted unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions 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. The applicant failed to illustrate that a literal enforcement of the Zoning Ordinance would result in an unnecessary hardship. It is simply the applicant's desire to be allowed to use this site as a fabrication facility. In addition, the granting of the Use Variance could set an undesirable precedent and could encourage future applications of a similar nature.

**RECOMMENDATION 5318****Date: July 11, 2005**

Based upon the preceding, this application is recommended for denial.

## LOCATOR MAP



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# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



Located to the North of the site are single family residential dwellings; to the East is a school and convenience store. Located to the South and West of the site are multiple family residential dwellings.

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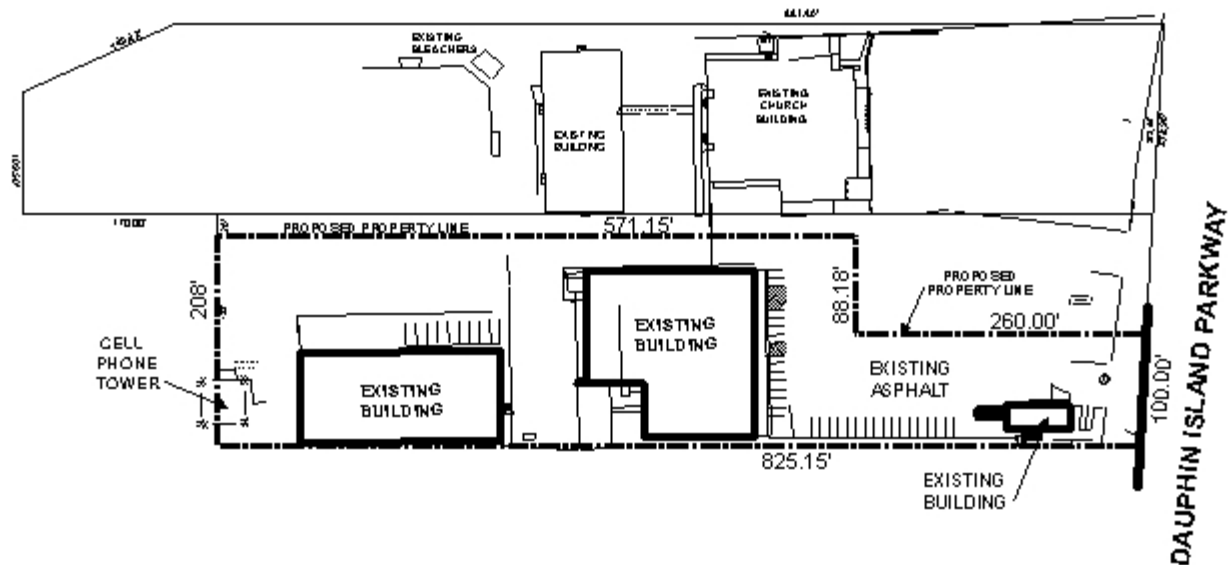
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LEGEND R-1 R-2 R-3 R-4 R-5 R-6 R-7 R-8 R-9 R-10 R-11 R-12 R-13 R-14 R-15 R-16 R-17 R-18 R-19 R-20 R-21 R-22 R-23 R-24 R-25 R-26 R-27 R-28 R-29 R-30 R-31 R-32 R-33 R-34 R-35 R-36 R-37 R-38 R-39 R-40 R-41 R-42 R-43 R-44 R-45 R-46 R-47 R-48 R-49 R-50 R-51 R-52 R-53 R-54 R-55 R-56 R-57 R-58 R-59 R-60 R-61 R-62 R-63 R-64 R-65 R-66 R-67 R-68 R-69 R-70 R-71 R-72 R-73 R-74 R-75 R-76 R-77 R-78 R-79 R-80 R-81 R-82 R-83 R-84 R-85 R-86 R-87 R-88 R-89 R-90 R-91 R-92 R-93 R-94 R-95 R-96 R-97 R-98 R-99 R-100 H-B B-1 LB-2 B-2 B-3 B-4 B-5 I-1 I-2

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NTS

# SITE PLAN



The site is located on the West side of Dauphin Island Parkway, 220' North of Woodlawn Drive North. The plan illustrates the existing structures and parking.

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