

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: December 5, 2022****CASE NUMBER**

6488/3373/2960/2766/2733/2696/730

APPLICANT NAME

Berwyn 163 LLC (Gerald Byrd, Agent)

LOCATION

2 North Florida Street and 2504 Dauphin Street
(Northeast corner of North Florida Street and Dauphin Street, extending to the West side of Hurlbert Street, 145'± North of Dauphin Street).

VARIANCE REQUEST

USE: To allow off-site parking in an R-1, Single-Family Residential District for a commercial site in a B-1, Buffer Business District.

**ZONING ORDINANCE
REQUIREMENT**

USE: The Zoning Ordinance does not allow off-site parking in an R-1, Single-Family Residential District, and requires all parking to be on-site for a commercial site in a B-1, Buffer Business District.

ZONING

R-1, Single-Family Residential and B-2, Buffer Business District

AREA OF PROPERTY

0.2± Acre

**ENGINEERING
COMMENTS**

If this variance is approved for use the applicant will need to have the following conditions met:

1. Any proposed site improvements will require a Land Disturbance Permit be submitted for review and approval.
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. Designated handicapped accessible spaces and routes must be paved (i.e. concrete, asphalt).

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-RESCUE DEPARTMENT
COMMENTS

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 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.

CITY COUNCIL
DISTRICT

District 1

ANALYSIS

The applicant is requesting a Use Variance to allow off-site parking in an R-1, Single-Family Residential District for a commercial site in a B-1, Buffer Business District; the Zoning Ordinance does not allow off-site parking in an R-1, Single-Family Residential District, and requires all parking to be on-site for a commercial site in a B-1, Buffer Business District.

It has been brought to staff's attention that there are property owners within 300-feet of the subject site that did not receive notifications as legally required, therefore the application must be heldover to the January 9, 2023 meeting to allow corrected notices to be sent.

RECOMMENDATION: Staff recommends the application be heldover to the January 9, 2023 meeting, with revisions due by December 12th to address the following:

- 1) Provision of a complete list of mailing labels and associated fees.

LOCATOR MAP



APPLICATION NUMBER 6488 DATE December 5, 2022

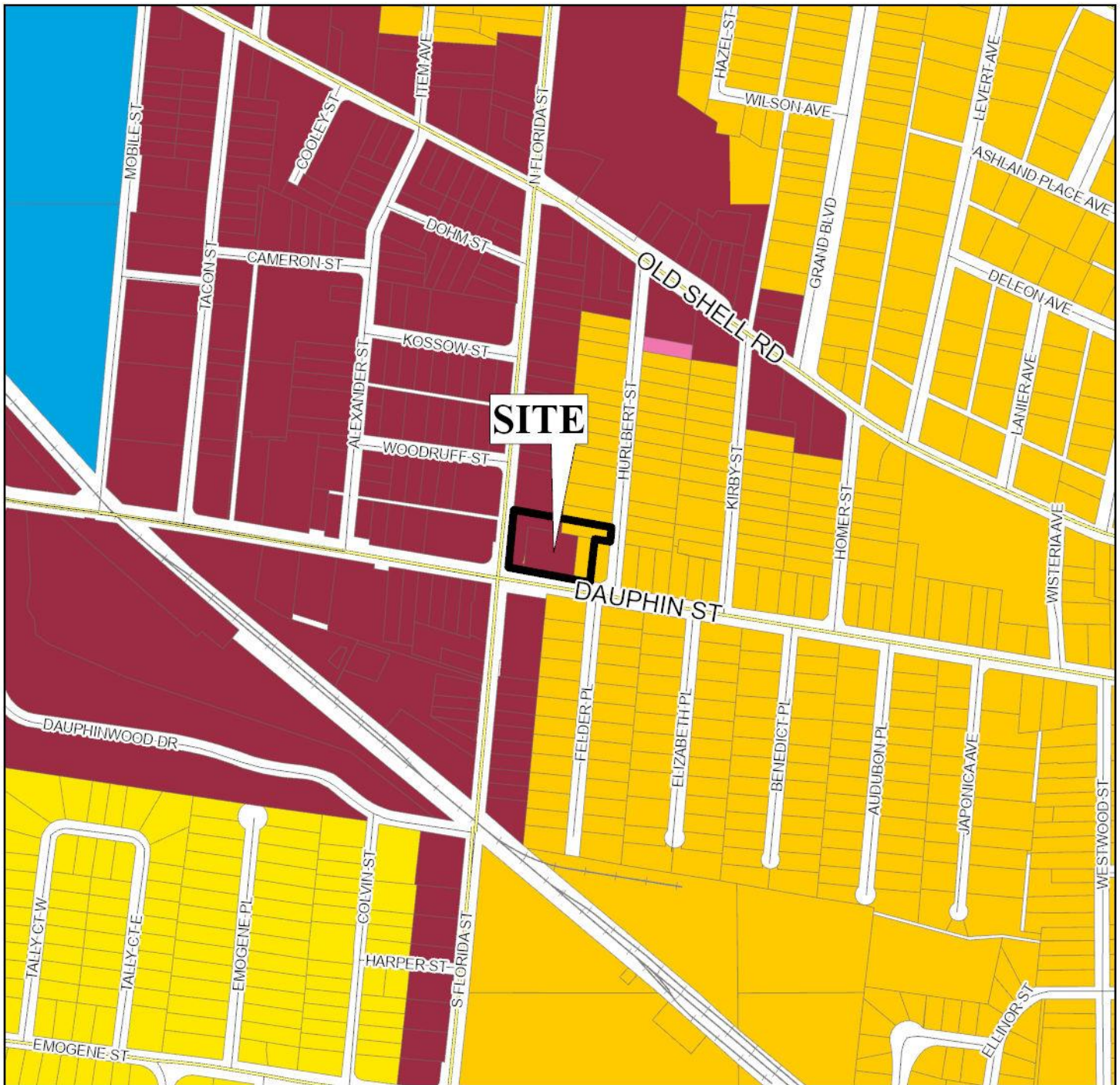
APPLICANT Berwyn 163 LLC (Gerald Byrd, Agent)

REQUEST Use Variance



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FLUM LOCATOR MAP



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REQUEST Use Variance

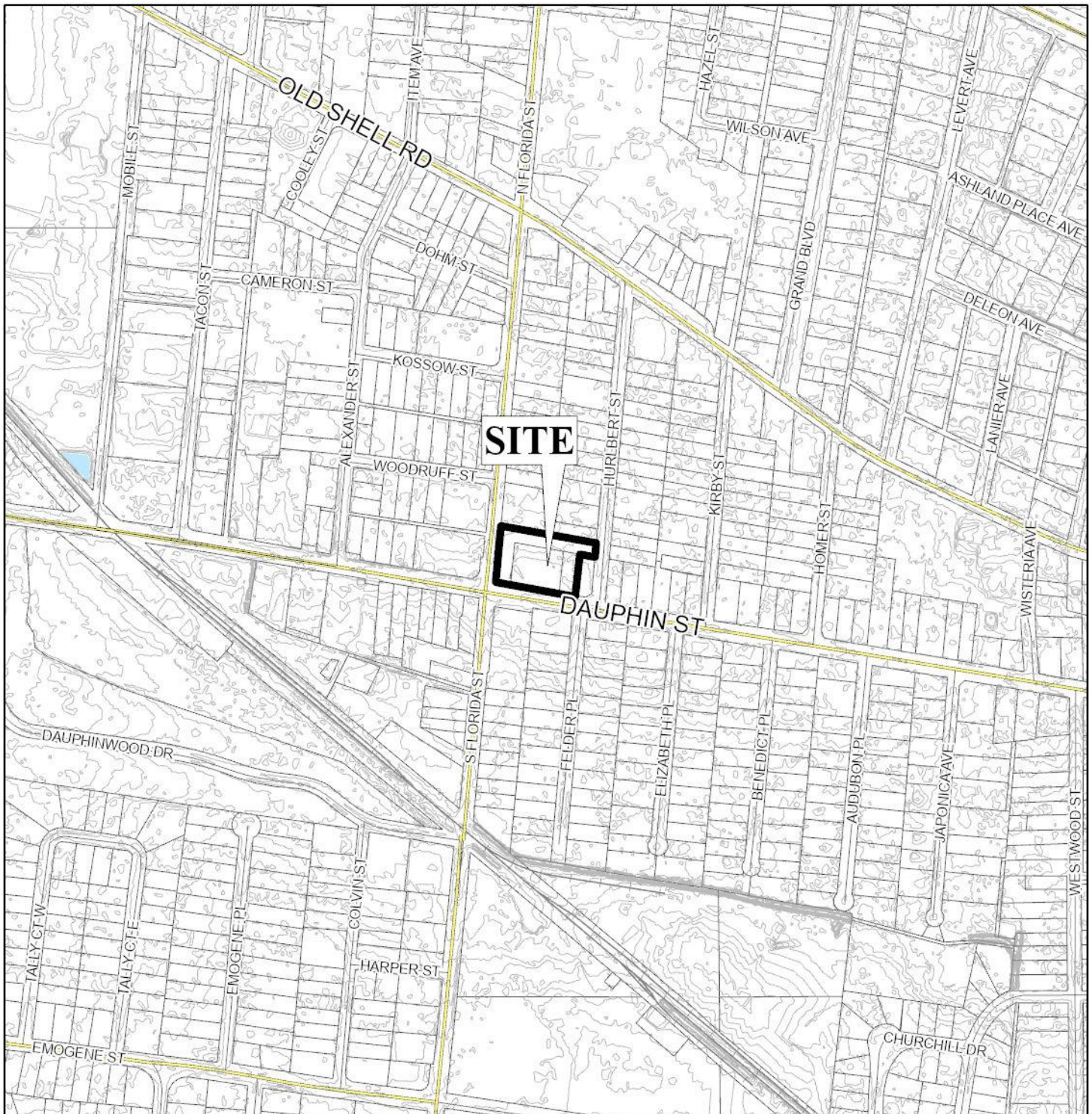
FLUM

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



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ENVIRONMENTAL LOCATOR MAP



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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial and residential units.

APPLICATION NUMBER 6488 DATE December 5, 2022

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REQUEST Use Variance

R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL

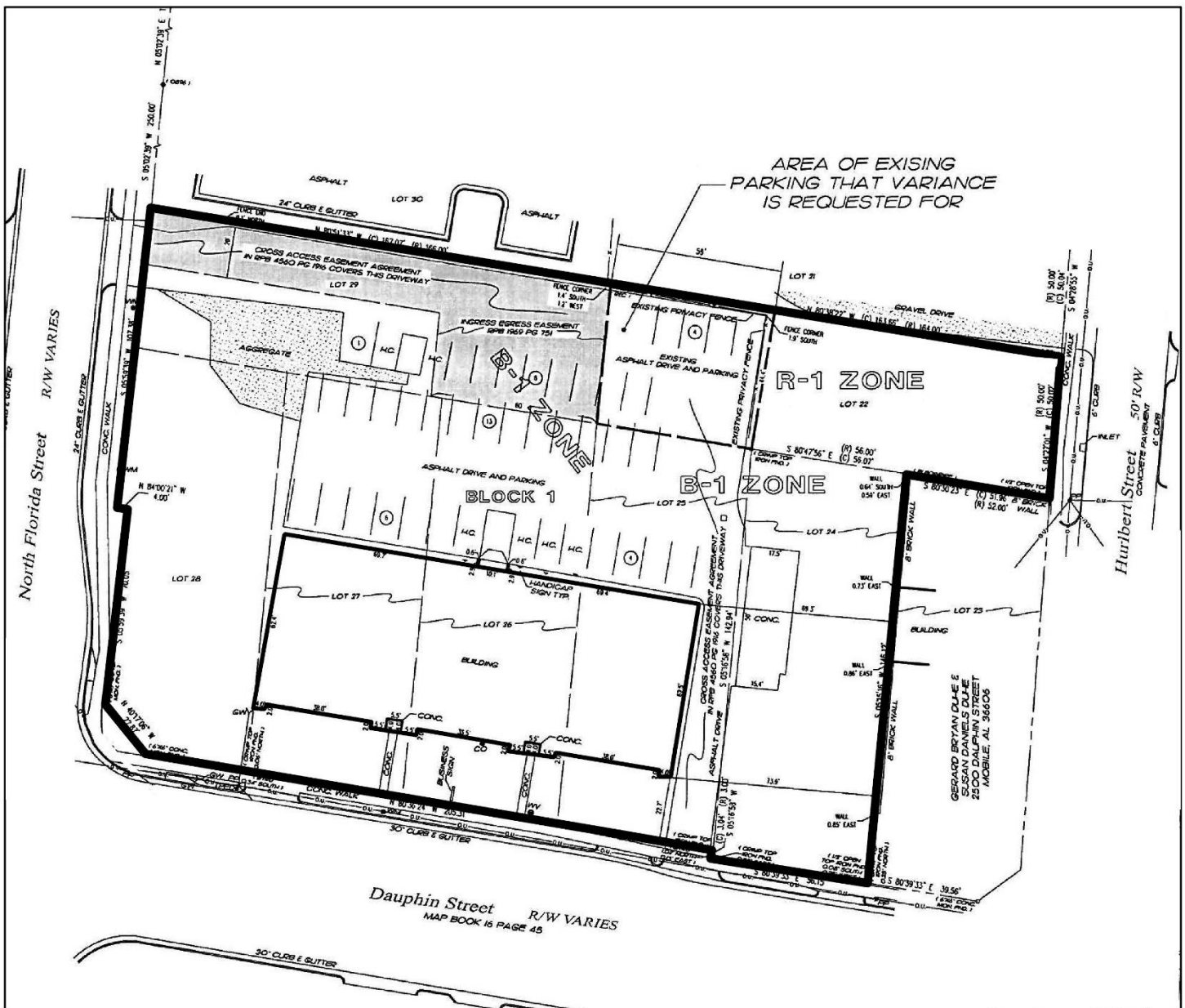


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SITE PLAN



The site plan illustrates the existing building, drive, and parking.

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