



Agenda Item # 9

BOA-003808-2026

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

2770 Government Boulevard

Applicant / Agent:

TowerCo, LLC (Baker Donnelson Law Firm, Agent)

Property Owner:

Cassie Holladay Roote

Current Zoning:

B-2, Neighborhood Business Suburban District

Future Land Use:

Mixed Commercial Corridor

Case Number(s):

6773

Unified Development Code Requirement:

- The Unified Development Code (UDC) requires setbacks equal to the height of the proposed tower, 24-foot wide driveways, asphalt or concrete surfacing, full compliance with tree planting and landscape area requirements, limits structures to a maximum height of 45-feet, and requires telecommunications to be camouflaged in a B-2, Neighborhood Business Suburban District.

Board Consideration:

- Setback, Access, Surfacing, Tree Planting and Landscape Area, Height, and Camouflage Variances allow a telecommunications facility to have reduced setbacks, reduced driveway width, gravel surfacing, reduced tree planting and landscape area, with a maximum height of 150-feet, and no camouflage in a B-2, Neighborhood Business Suburban District.

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BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial and residential units.

APPLICATION NUMBER 6773 DATE August 3, 2026
 APPLICANT TowerCo, LLC (Baker Donnelson Law Firm, Agent)
 REQUEST Setback, Access, Surfacing, Tree Planting and Landscape Area, Height, and Camouflage Variances



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SITE HISTORY

There have been no Planning Commission or Board of Zoning Adjustment 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 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 has requested Setback, Access, Surfacing, Tree Planting and Landscape Area, Height, and Camouflage Variances allow a telecommunications facility to have reduced setbacks, reduced driveway width, gravel surfacing, reduced tree planting and landscape area, with a maximum height of 150-feet, and no camouflage in a B-2, Neighborhood Business Suburban District; the Unified Development Code (UDC) requires setbacks equal to the height of the proposed tower, 24-foot wide driveways, asphalt or concrete surfacing, full compliance with tree planting and landscape area requirements, limits structures to a maximum height of 45-feet, and requires telecommunications to be camouflaged in a B-2, Neighborhood Business Suburban District.

The application and supporting documentation are available via the link on Page 1 of this report.

The proposed lease parcel is currently vacant, wooded property. It should be noted that there is an existing car lot to the North, a closed restaurant to the South, a medical office to the East, and undeveloped property to the West. The subject site, and all immediately adjacent properties are zoned B-2, Neighborhood Business Suburban District.

Article 4, Section 64-4-9.G.7.(f)(2) of the Unified Development Code (UDC) requires Class 4 towers to have a setback on all sides, a distance equal to the height of the tower; the applicant is proposing a 150-foot tall tower, with approximate setbacks of 86-feet to the North, 41-feet to the West, 34-feet to the East, and 63-feet to the South. The applicant states that the tower is designed in such a way that if there is a structural fail, it would collapse with a 25-foot radius, and remain entirely on the subject site.

Article 3, Section 64-3-12.A.5.(j)(4) of the Unified Development Code (UDC) requires two-way traffic aisles to be a minimum of 24-feet in width. The applicant states that this is not possible due to the symmetry of the subject site. Furthermore, the site only has 20-feet of street frontage available.

Article 3, Section 64-3-12.A.5(c)(4) of the Unified Development Code (UDC) requires all parking and maneuvering areas to be surfaced in asphalt, concrete, asphaltic concrete, or an alternative parking surface. The applicant proposes to use gravel surfacing as a result of the low amount of traffic expected to occur at the site, as well as increased storm drainage.

Article 4, Section 64-4-9.G.13. of the Unified Development Code (UDC) requires full compliance with tree planting and landscape area for the underlying zoning district in which a proposed Class 4 tower is to be constructed. The applicant is requesting relief from tree planting requirements due to spatial constraints associated with the irregular size and shape of the subject site.

Article 4, Section 64-4-9.G.7.(c) of the Unified Development Code (UDC) requires Class 4 towers to comply with the height restrictions for the underlying zoning district in which a proposed tower is to be constructed. Article 2, Section 64-2-13.E.4. states that structures located in a B-2, Neighborhood Business Suburban District are limited to a maximum height of 45-feet. The applicant states that the additional height is required to allow the tower to work in tandem with other nearby towers.

Article 4, Section 64-4-9.G.18. of the Unified Development Code (UDC) requires Class 4 towers to be camouflaged so as to minimize the distraction from surrounding properties and public rights-of-way. The applicant states that complying with this provision will limit the ability to use various technologies available, as well as reduce the ability to co-locate multiple carriers on a single tower.

Finally, it should be noted that the subject site is not a legal lot of record, and will require a one (1) lot Subdivision application to go before the Planning Commission for consideration. The applicant states that they would like a

Sidewalk Waiver, however, the applicant has been made aware that a Sidewalk Waiver request must be considered by the Planning Commission at the same time as the Subdivision.

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 4 Section 64-4-9.G.21.(a) states that the Board may grant approval of a site plan development Variance if the Applicant demonstrates with written evidence that:

- The location, shape, appearance or nature of use of the proposed Tower will not substantially detract from the aesthetics of the area nor change the character of the neighborhood in which the Tower is proposed to be located; and
- The site plan development modification will not create any threat to the public health, safety or welfare.

Article 5 Section 64-5-10-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 64-5-10-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:

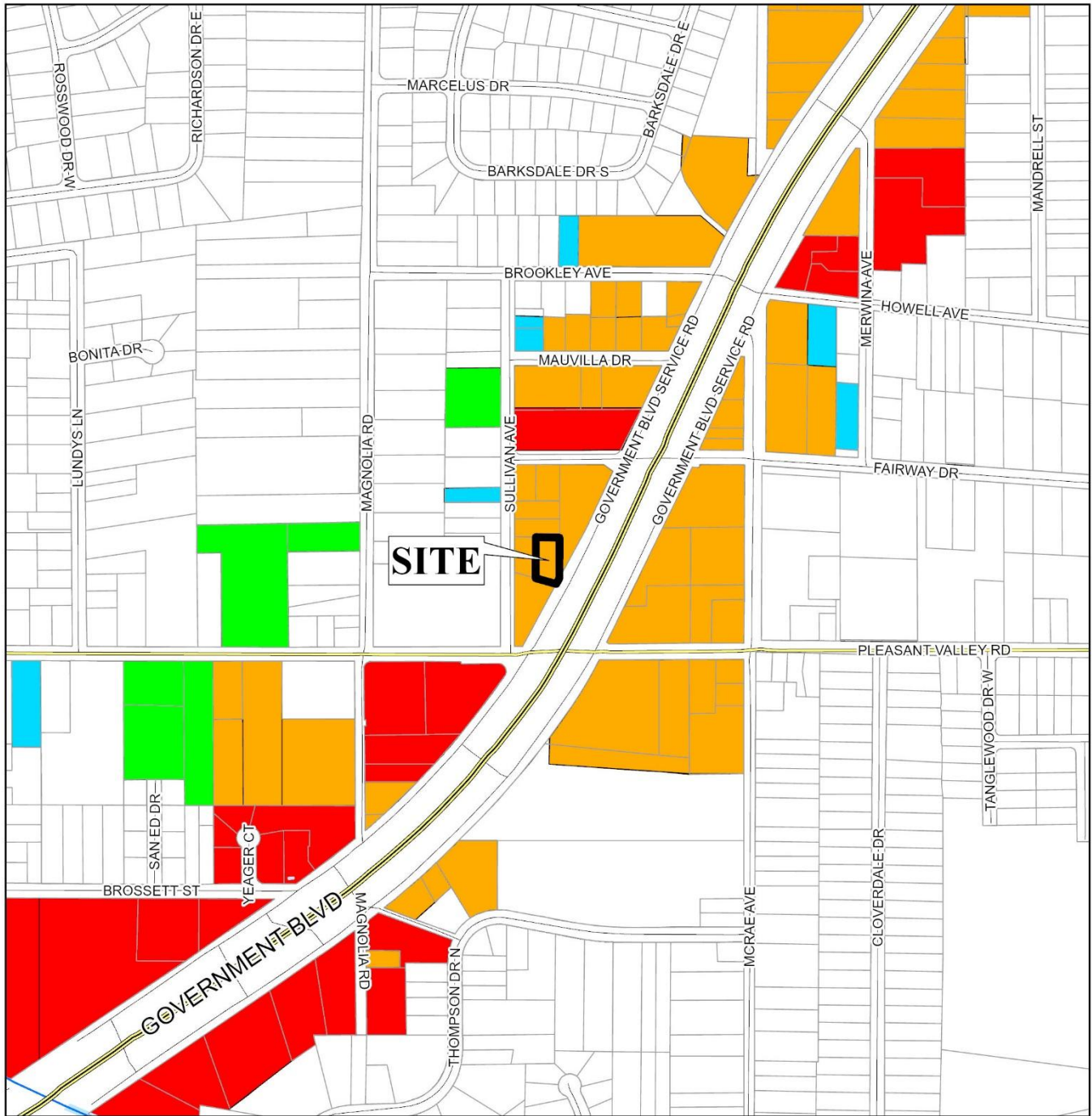
Based on the requested Variance application and documentation submitted, if the Board considers approval of the request, the following findings of fact must be present:

- 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 approved, the Special Exception should be subject to the following conditions:

- 1) Submittal and completion of a Subdivision application;
- 2) Approval of the associated Special Exception requests; and
- 3) Full compliance with all municipal codes and ordinances.

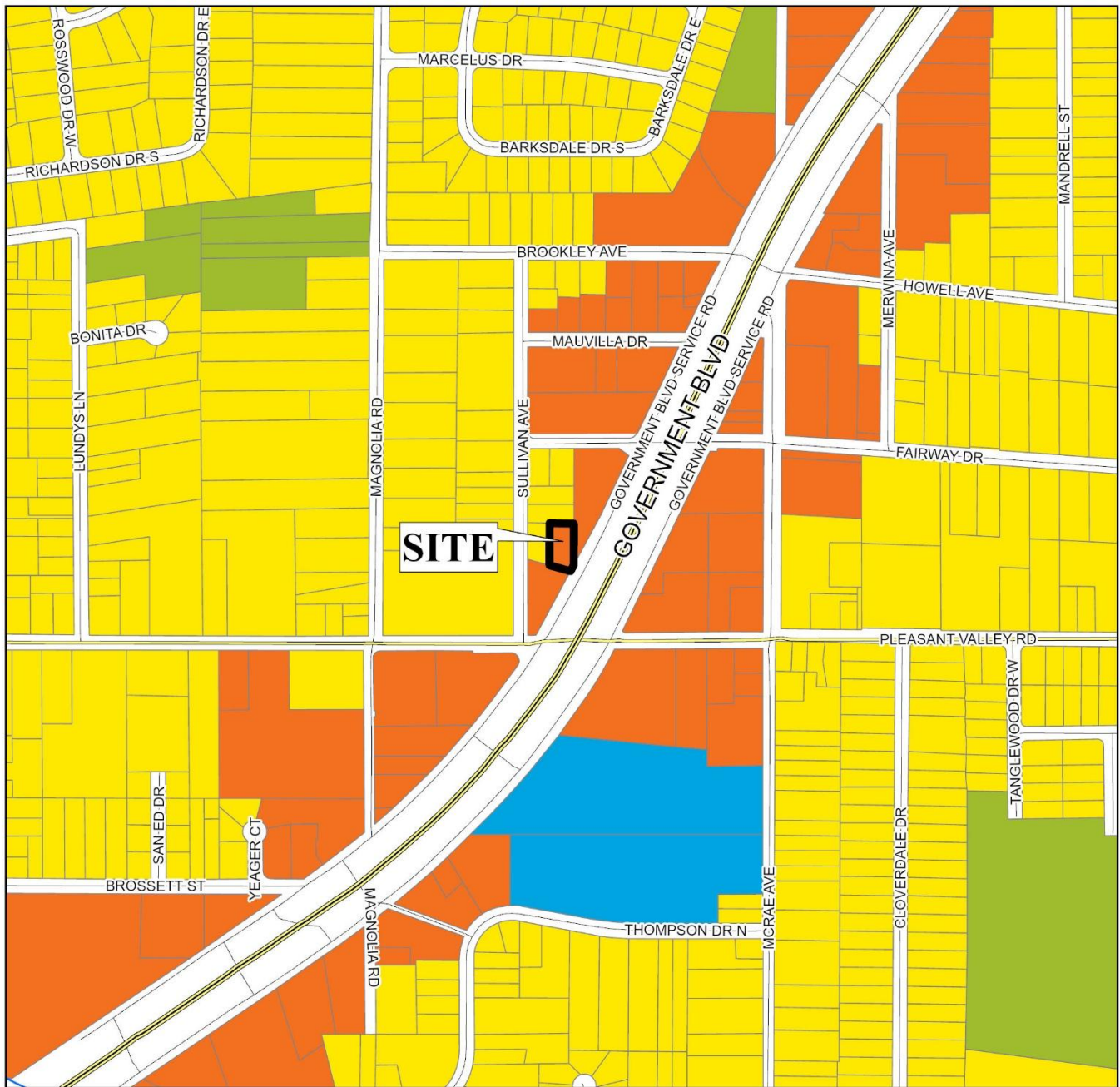
LOCATOR ZONING MAP



APPLICATION NUMBER 6773 DATE August 3, 2026
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FLUM LOCATOR MAP



APPLICATION NUMBER 6773 DATE August 3, 2026

APPLICANT TowerCo, LLC (Baker Donnelson Law Firm, Agent)

Setback, Access, Surfacing, Tree Planting and Landscape Area, Height, and Camouflage

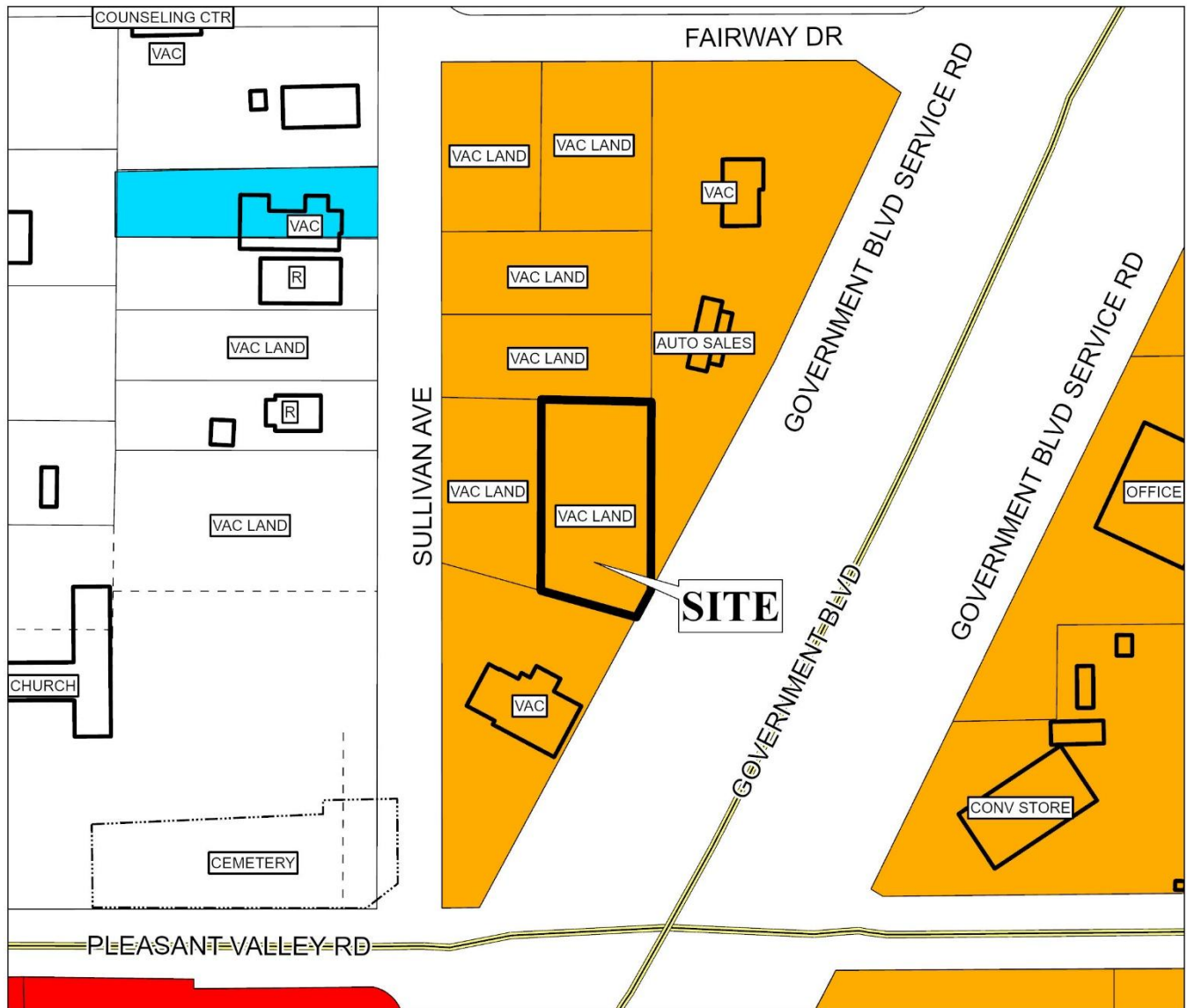
REQUEST Variances

- | | | | |
|---|--|---|---|
| ■ 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 | |



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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial and residential units.

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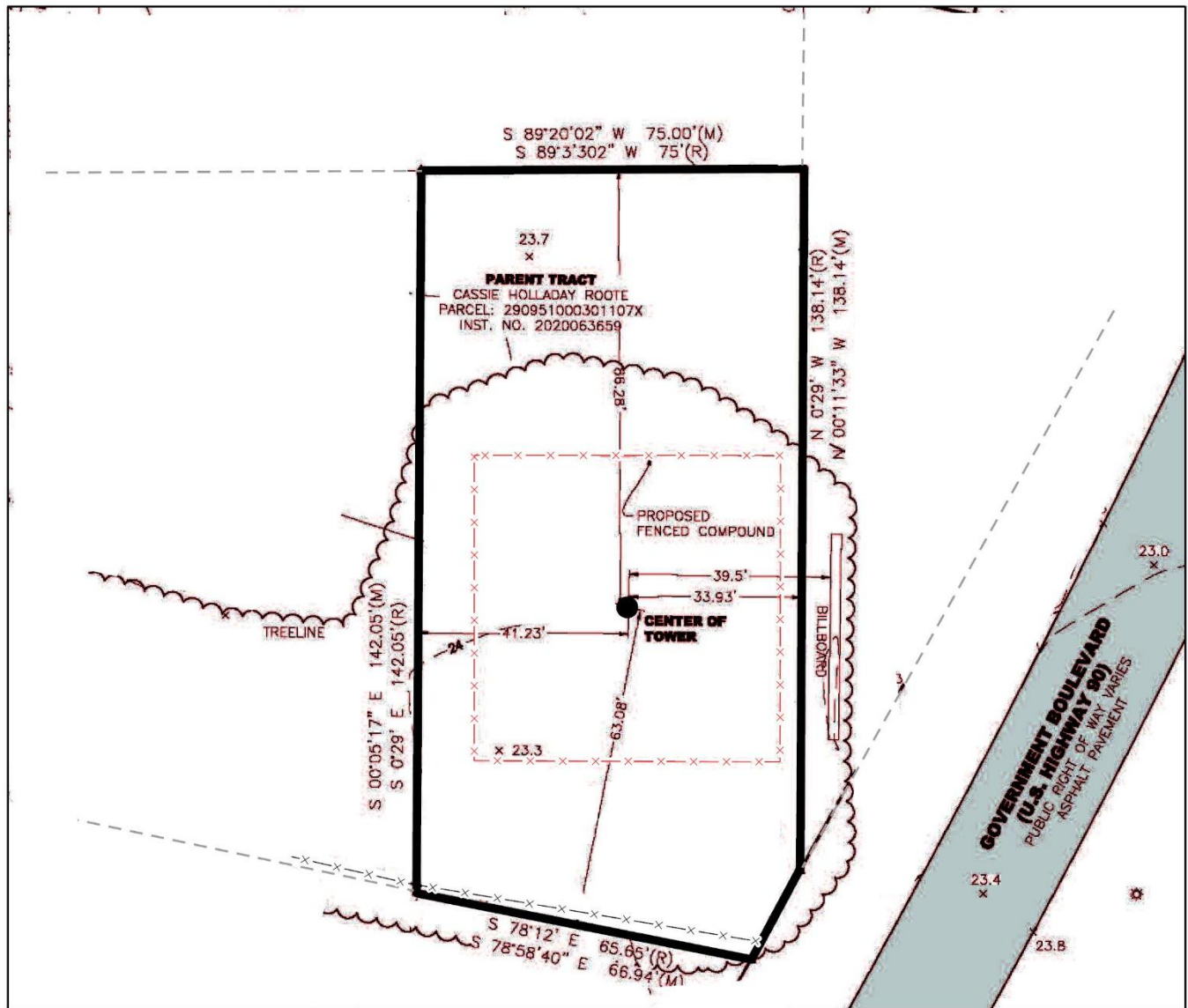
Setback, Access, Surfacing, Tree Planting and Landscape Area, Height, and Camouflage

REQUEST Variances

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 tower location and landscaping features.

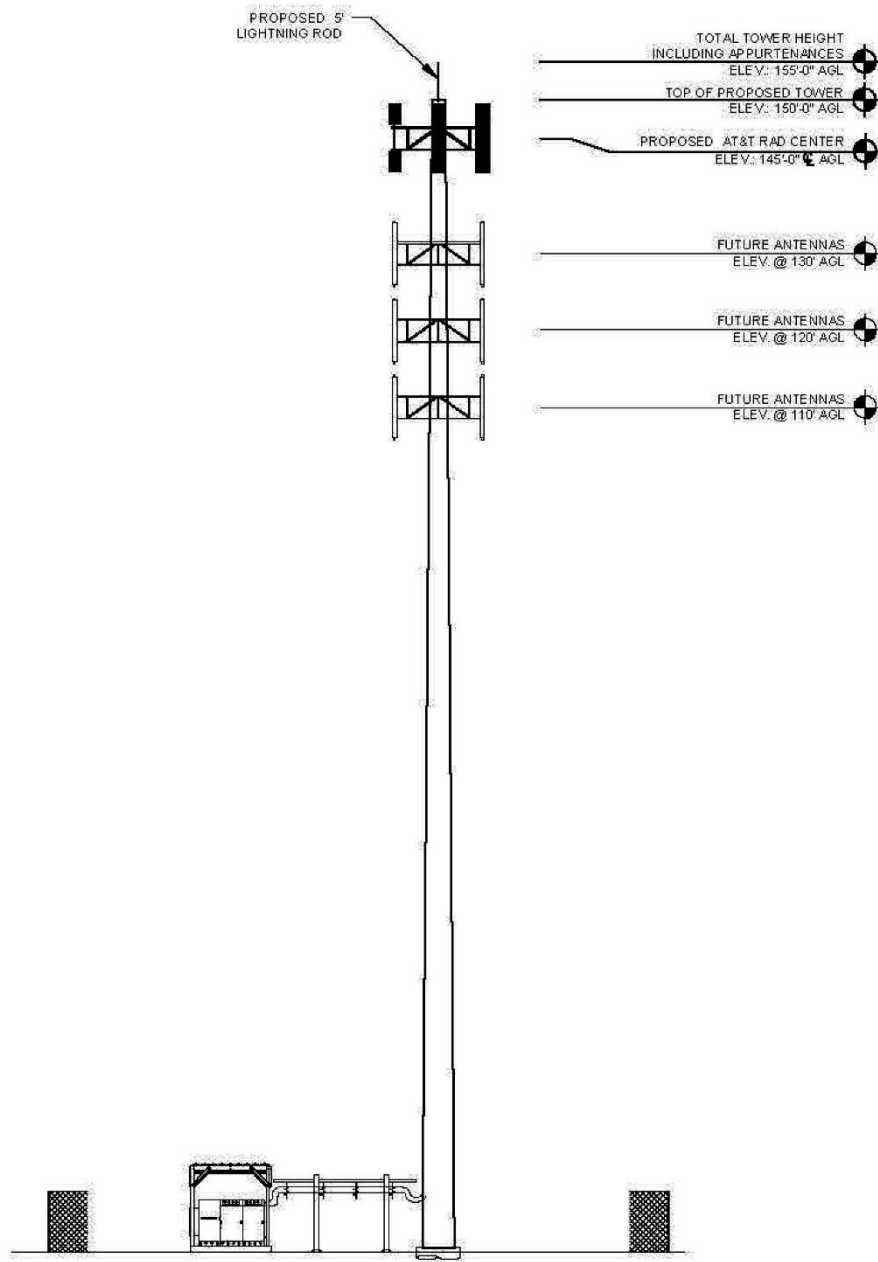
APPLICATION NUMBER 6772 DATE August 3, 2026

APPLICANT TowerCo, LLC (Baker Donnelson Law Firm, Agent)

REQUEST Special Exception



DETAIL SITE PLAN



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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.

Zoning correspondence matrix

[illegible]

MIXED COMMERCIAL CORRIDOR (MCC)

This land use designation mostly applies to transportation corridors west of I-65 serving primarily the low-density (suburban) residential neighborhoods. MCC includes a wide variety of retail, services and entertainment uses. This designation acknowledges existing commercial development that is spread along Mobile's transportation corridors in a conventional strip pattern or concentrated into shorter segments of a corridor.

Development Intent

- › New development and redevelopment in Mixed Commercial Corridors is encouraged to raise design quality, improve connectivity to surrounding neighborhoods; improved streetscapes; and improve mobility and accessibility for all users of the corridor.

Land use mix

Primary Uses

- › Commercial
- › Office

Secondary Uses

- › Residential, Multifamily
- › Residential, Attached
- › Civic
- › Parks

Housing mix

- › Multifamily buildings
- › Attached residential such as duplexes, multiplexes, and townhomes

Character Example

