

APPLICATION NUMBER

**5252**

A REQUEST FOR

**PARKING AND USE VARIANCES TO ALLOW 94  
PARKING SPACES IN AN R-1, SINGLE-FAMILY  
RESIDENTIAL DISTRICT; THE ZONING ORDINANCE  
REQUIRES ALL PARKING TO BE LOCATED ON-SITE  
AND PARKING LOTS ARE PROHIBITED IN R-1, SINGLE-  
FAMILY RESIDENTIAL DISTRICTS.**

LOCATED AT

South side of Dunlap Drive, between Dunlap Drive & Highway 90, adjacent to the North  
side of Bankhead Tunnel

APPLICANT

**AUSTAL USA**

**BOARD OF ZONING ADJUSTMENT**

AUGUST 2004

The applicant is requesting Parking and Use Variances to allow 94 parking spaces in an R-1, Single-Family Residential District; the Zoning Ordinance requires all parking to be located on site and parking lots are prohibited in R-1, Single-Family Residential Districts.

The applicant states that the site will be used as employee parking for its shipbuilding facilities.

As illustrated on the Vicinity Map, with the exception of residentially zoned property to the South owned by the State Highway Department, and a parcel to the North that is owned by the adjacent oil storage facility, the site is surrounded by industrially zoned property. The Ordinance does not allow stand-alone parking lots in industrially zoned districts, hence this application.

With the site being surrounded by heavy industry, the property would most likely never be used residentially. However, as indicated above, the surrounding zoning and land use illustrates that the use variance aspect of this application would be more appropriately addressed by the Planning Commission and City Council as part of a rezoning application.

The applicant is requesting an off-site parking variance to allow for an employee parking lot consisting of 94 parking spaces. Due to its increase in business and the need for additional labor, the applicant is unable to provide enough parking on-site. In addition, it is not uncommon in this area to have freestanding parking lots that serve the local industry.

The Zoning 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.

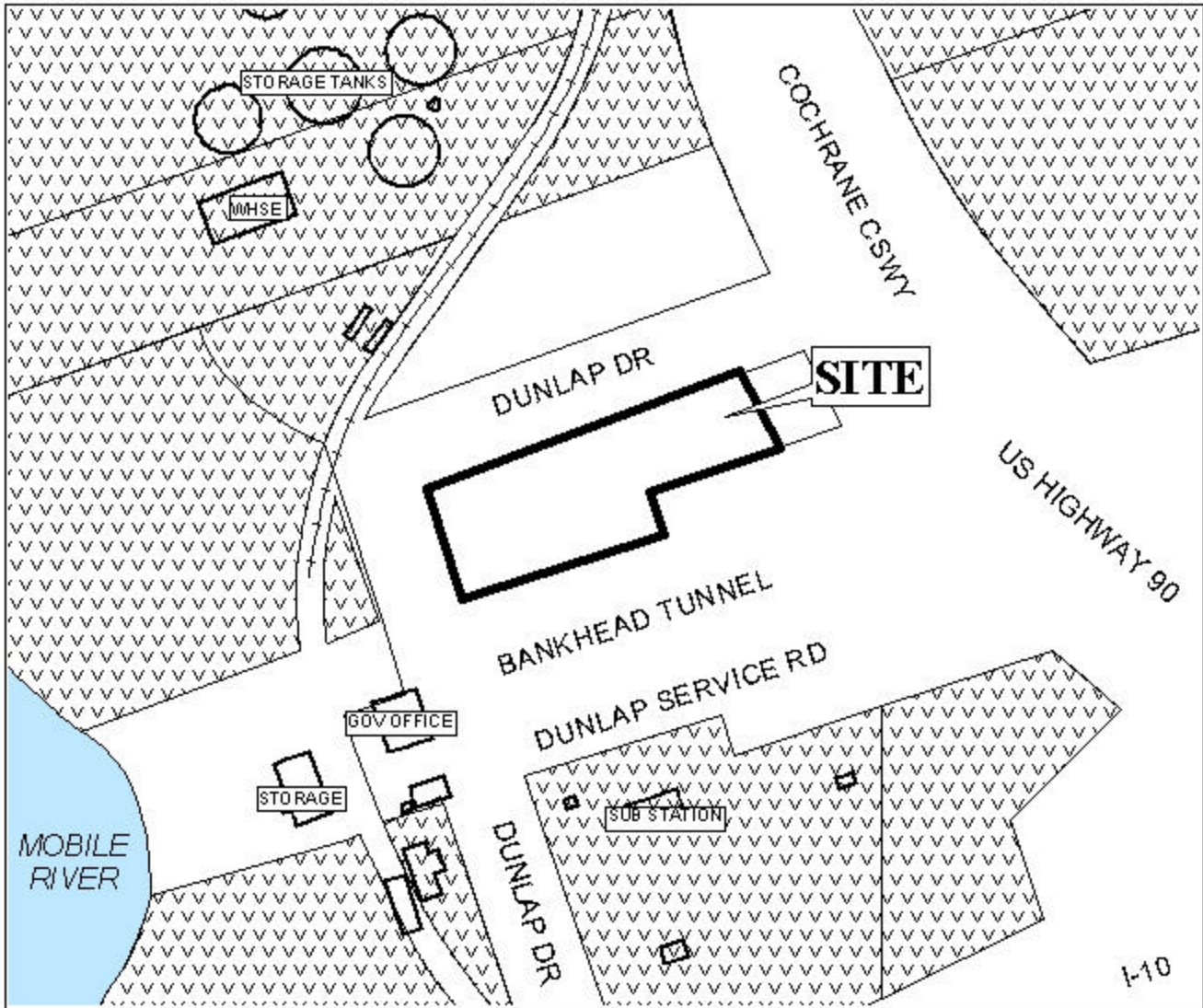
Based upon the surrounding land use patterns, the off-site parking request would be characteristic of the area. Moreover, as outlined above special conditions may exist for the property that may satisfy the criteria for an off-site parking variance.

**RECOMMENDATION 5252****Date: August 5, 2004**

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Based upon the preceding, it is recommended that the use variance request be denied and the off-site parking request be approved subject to the following conditions: 1) full compliance with the landscaping and tree planting requirements of the ordinance; and 2) full compliance with all municipal codes and ordinances.

# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is located in an industrial area north of the Bankhead Tunnel and east of the Mobile River.

APPLICATION NUMBER 5252 DATE August 2, 2004

APPLICANT Austal USA

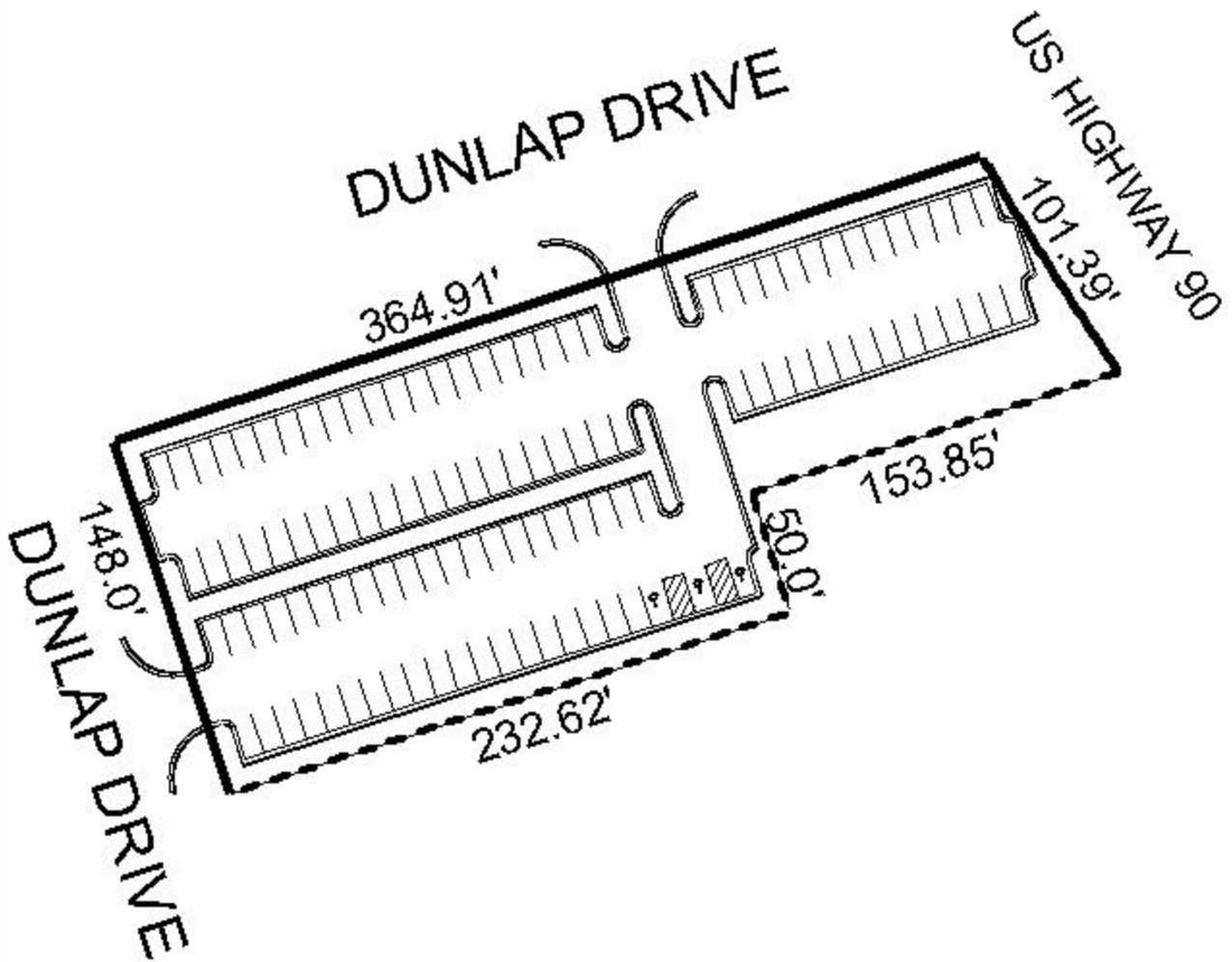
REQUEST Parking and Use Variances

LEGEND 

R-1	R-2	R-3	R-A	R-B	H-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2



# SITE PLAN



The site is located on the South side of Dunlap Drive, between Dunlap Drive and Highway 90, adjacent to the North side of Bankhead Tunnel. The plan illustrates the proposed parking lot.

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REQUEST Parking and Use Variances



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