



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

October 8, 2024

Jane Steiner
PMG, LLC
1055 St. Charles Avenue
Suite 701
New Orleans, Louisiana 70130

Re: 6622/3995
BOA-SE-003044-2024
5301 Moffett Road
PMG, LLC / Cowles, Murphy, Glover & Associates
District 7

Dear Applicant(s) / Property owner(s):

On October 7, 2024, the Board of Zoning Adjustment considered your request for a Special Exception to allow warehousing (over 40,000 square feet) in a B-3, Community Business Suburban District (rezoning pending); the Unified Development Code (UDC) requires a Special Exception to allow warehousing (over 40,000 square feet) in a B-3, Community Business Suburban District (rezoning pending).

After discussion, the Board determined the following findings of fact for approval:

- A. The proposed use **is** in harmony with the general purpose, goals, objectives and standards of this Chapter, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City.
- B. The proposed use at the proposed location **shall not** result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety and general welfare either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of this Chapter, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City or other governmental agency having jurisdiction to guide growth and development.
- C. The proposed use **will** be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, and services specified in this subsection.
- D. The proposed use **is** consistent with all applicable requirements of this Chapter including: any applicable development standards in Article 3, and any applicable use regulations in Article 4.
- E. The proposed use **is** compatible with the character of the neighborhood within the same zoning district in which it is located.

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- F. The proposed use **will not** impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.
- G. The proposed use **will** have no more adverse effects on health, safety or comfort of persons living or working in the neighborhood or will be no more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district.
- H. The site **is** designed to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads.
- I. The site **is** designed to minimize the impact on storm water facilities.
- J. The use **will** be adequately served by water and sanitary sewer services.
- K. The use **is not** noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
- L. The use **will not** be detrimental or endanger the public health, safety or general welfare.

The approval is subject to the following conditions:

1. Revision of the site plan to illustrate a sidewalk along Moffett Road, or Planning Commission approval of a Sidewalk Waiver waiving the construction of a sidewalk at this location;
2. Revision of the site plan to illustrate a sidewalk along the site's entire frontage along Overlook Road;
3. Revision of the site plan to label the main building to which the proposed pedestrian walkway will connect;
4. Revision of the site plan to depict how compliance with the frontage tree planting requirements of Article 3, Section 64-3-7.A.2 of the UDC is impractical due to overhead power lines along each street frontage;
5. Revision of the site plan to illustrate compliance with the off-street parking, off-street loading, and vehicle maneuvering requirements of Section 64-3-12, along with the provision of a parking table to indicate the number of required parking spaces for each use of the site;
6. Revision of the site plan to illustrate compliance with the parking lot landscaping and tree planting requirements of Section 64-3-7.A.3.(2);
7. Retention of note on the site plan stating bicycle racks will be provided, revised to state bicycle parking will comply with the applicable provisions of Article 3, Section 64-3-12.A.9. of the UDC;
8. Revision of the site plan to illustrate full compliance with the protection buffer provisions of Article 3, Section 64-3-8.A.1.(a) of the UDC;
9. Retention of a note on the site plan stating a photometric lighting plan conforming to the applicable UDC requirements will be provided at the time of permitting;
10. Revision of the site plan to illustrate a dumpster pad with a note stating it shall meet the enclosure and placement standards of Article 3, Section 64-3-13.A.4. of the UDC, or provision a note on the site plan stating that curbside waste removal will be utilized;
11. Maintain compliance with the building form standards of Section 64-3-6 of Article 3 of the UDC and illustrate on the appropriate drawings submitted for review of the applicable building permits;
12. Compliance with all Engineering comments noted in this staff report;
13. Placement of a note on the Final Plat stating the Traffic Engineering comments noted in this staff report;
14. Compliance with all Urban Forestry comments noted in this staff report;
15. Compliance with all Fire Department comments noted in this staff report; and
16. Full compliance with all other applicable codes and ordinances.

No permit, license or certification can be issued until the 15-day appeal period has expired and no appeal has been made. If a permit/license has not been obtained on or before April 7, 2025, the variance will expire and become null and void.

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Any party aggrieved by this decision may, within fifteen days of the date of the decision, appeal to the Circuit Court of Mobile County by filing a written notice of appeal, specifying the decision from which the appeal is taken. Notice of the appeal, as well as a date stamped copy of the appeal filed in Circuit Court must be filed with this Board within the fifteen-day appeal period.

For further assistance, please call 251-208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By: 
Stephen Guthrie
Deputy Director of Planning and Zoning