

**BOARD OF ZONING ADJUSTMENT  
STAFF REPORT****Date: October 3, 2022**

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<b><u>CASE NUMBER</u></b>	6447/6420
<b><u>APPLICANT NAME</u></b>	Roxanne Eaton & Joyce Pritchett
<b><u>LOCATION</u></b>	3340 Lees Lane (West side of Lees Lane, 680'± South of its North terminus).
<b><u>VARIANCE REQUEST</u></b>	<b>USE:</b> Use Variance to allow a family recreation venue with accessory use facilities in an R-1, Single-Family Residential District.
<b><u>ZONING ORDINANCE REQUIREMENT</u></b>	<b>USE:</b> The Zoning Ordinance requires that the primary use of a property be for a single-family residential dwelling in an R-1, Single-Family Residential District.
<b><u>ZONING</u></b>	R-1, Single-Family Residential District.
<b><u>AREA OF PROPERTY</u></b>	0.6± Acre
<b><u>CITY COUNCIL DISTRICT</u></b>	District 4
<b><u>ENGINEERING COMMENTS</u></b>	No comments.
<b><u>TRAFFIC ENGINEERING COMMENTS</u></b>	No comments.
<b><u>URBAN FORESTRY COMMENTS</u></b>	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** This variance being allowed will require permitting if approved for the change of use.

**ANALYSIS** The applicant is requesting an extension of a previously approved Use Variance to allow a family recreation venue with accessory use facilities in an R-1, Single-Family Residential District.

The site was granted approval, subject to the following conditions, by the Board at its March 7, 2022 meeting:

1. *Obtain associated building permits; and*
2. *Full compliance with all municipal codes and ordinances.*

The applicant provided the following statement regarding the extension request:

*Our variance expires on Sept 7, 2022. The Building Permit Office required us to obtain a Structural Engineering Report before we could apply for a building permit. It was difficult to find an available engineer. We finally obtained a Structural Engineer Report on Sept 2, 2022.*

This is the first extension request since the initial approval.

There have been no changes in the area, nor have there been any changes to the regulations that would impact previous approvals.

It should be noted that the applicant has requested numerous inspections for the site, but all have failed due to the lack of a building permit for the structure on site. As the applicant has obtained the required structural report in order to obtain the building permit, this request for extension should be considered for Approval.

**RECOMMENDATION:** Based on the preceding, the request for a 6-month extension of approval is recommended for Approval.

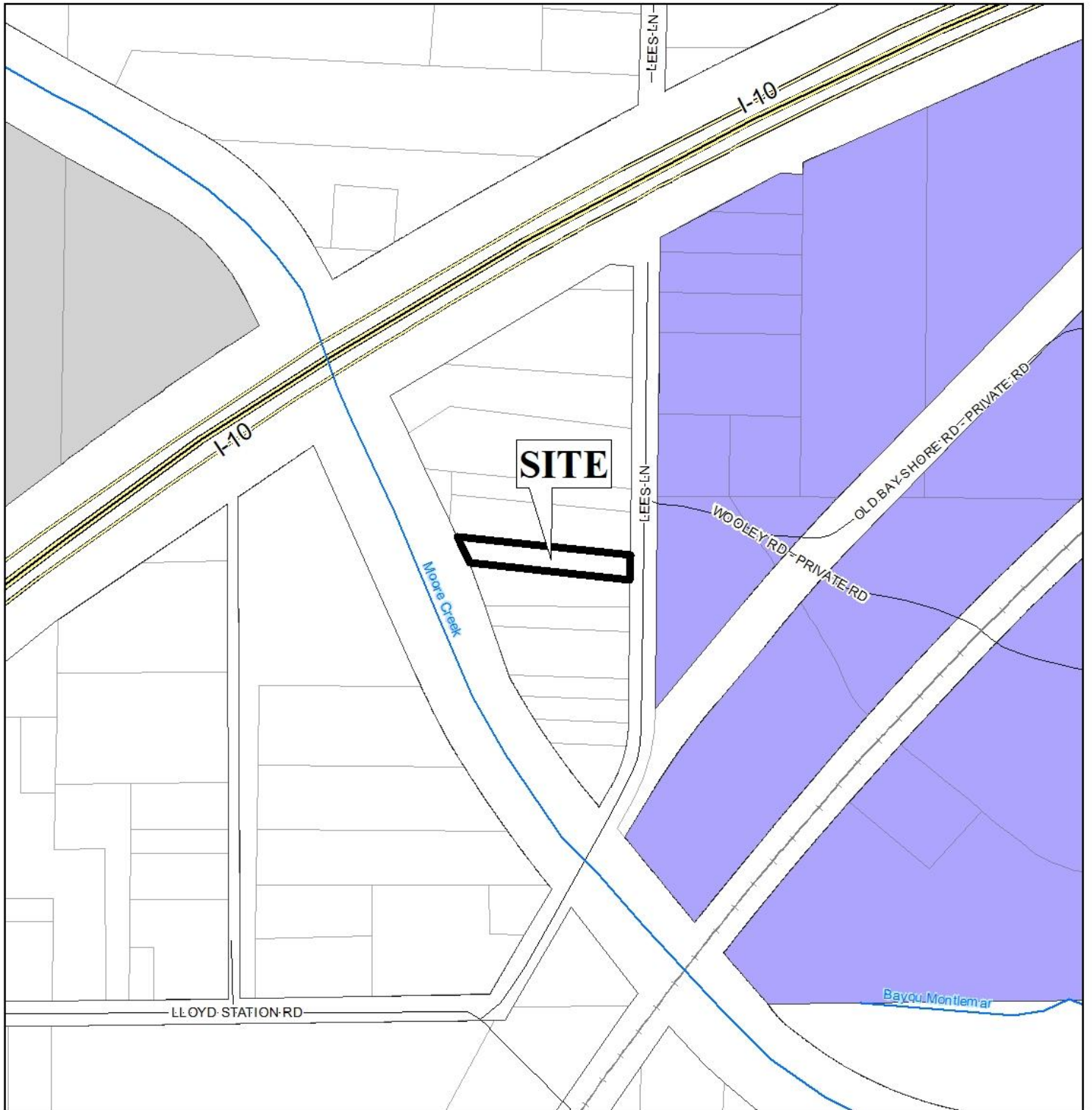
# LOCATOR MAP



APPLICATION NUMBER 6447 DATE October 3, 2022  
APPLICANT Roxanne Eaton & Joyce Pritchett  
REQUEST Use Variance



# LOCATOR ZONING MAP



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REQUEST Use Variance



# FLUM LOCATOR MAP



APPLICATION NUMBER 6447 DATE October 3, 2022

APPLICANT Roxanne Eaton & Joyce Pritchett

REQUEST Use Variance

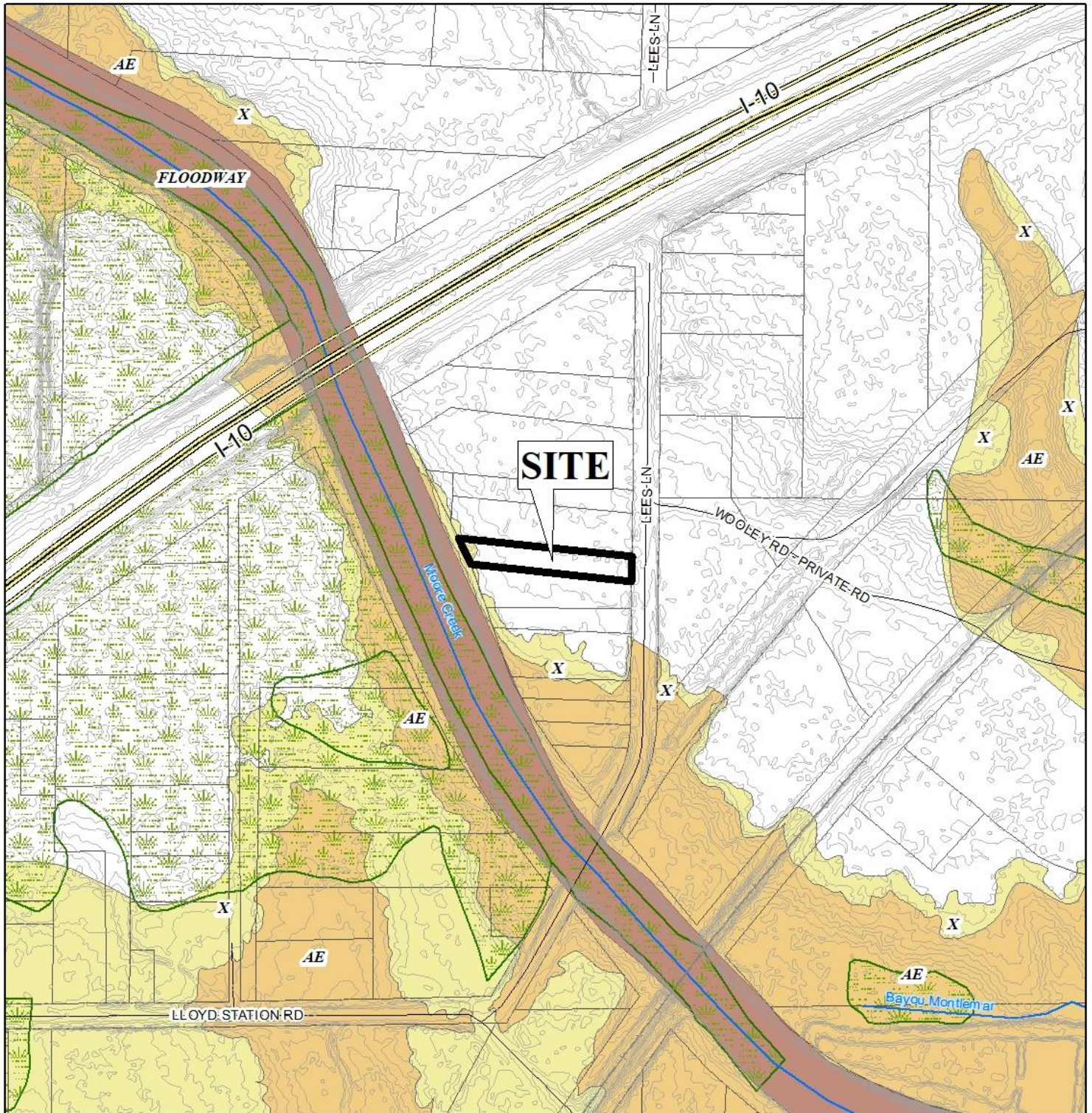
- |                           |                                   |                     |                    |
|---------------------------|-----------------------------------|---------------------|--------------------|
| Low Density Residential   | Neighborhood Center - Traditional | Downtown Waterfront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



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# ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 6447 DATE October 3, 2022

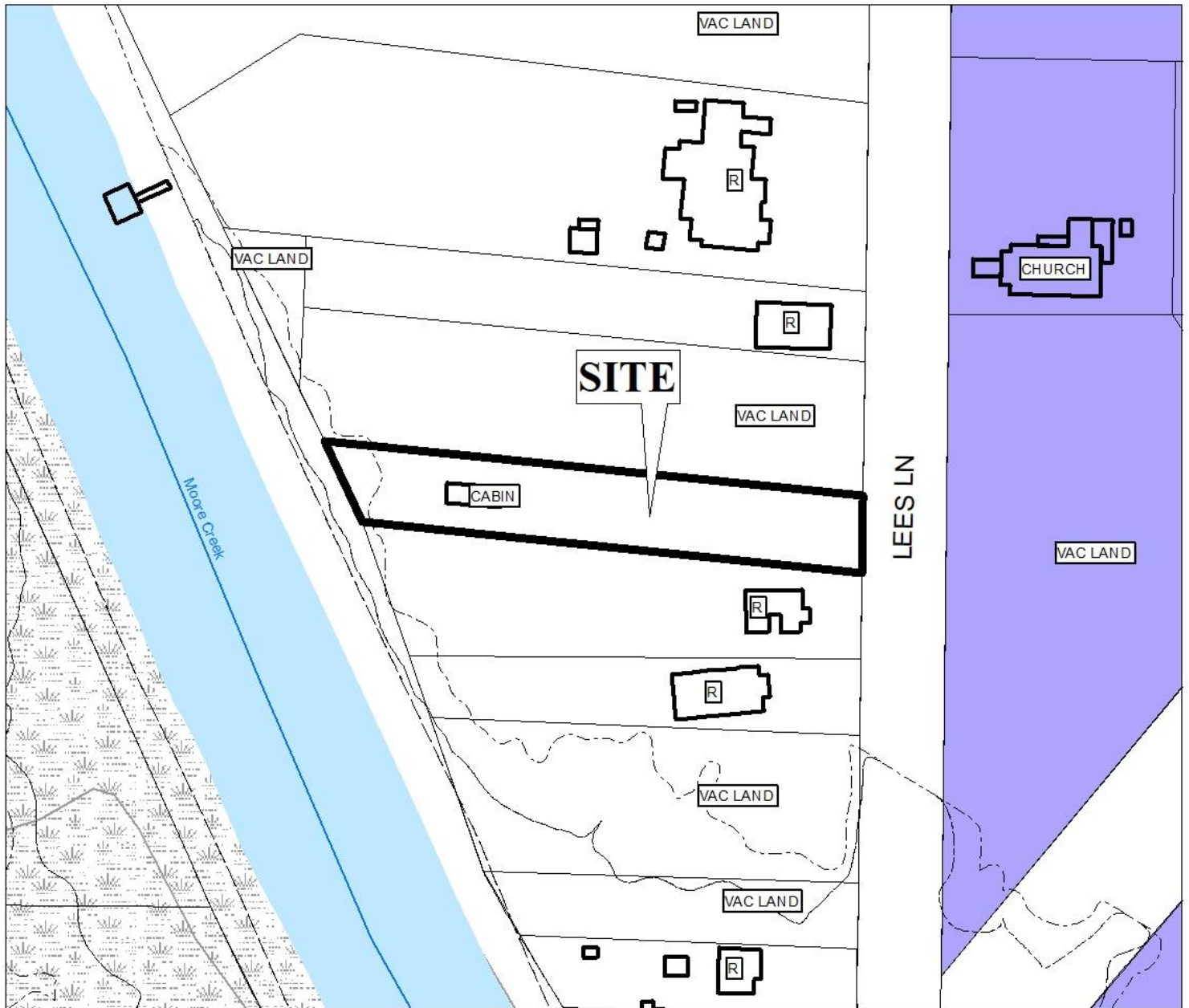
APPLICANT Roxanne Eaton & Joyce Pritchett

REQUEST Use Variance





# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units. A church lies northeast of the site.

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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**



The site is surrounded by residential units. A church lies northeast of the site.

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# SITE PLAN



The site plan illustrates the property, trees, and cabin.

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