



Mobile Board of Zoning Adjustment Results Agenda

June 3, 2024 – 2:00 P.M.

ADMINISTRATIVE

Roll Call

	Mr. William L. Guess, Chairman
X	Mr. Sanford Davis, Vice Chairman
X	Mr. Lewis Golden
X	Mr. Adam Metcalfe
X	Mr. Jeremy B. Milling
X	Mr. Chris Carroll
X	Mr. Gregory Morris, Sr.
	Mr. Taylor Atchison, Supernumerary
	Supernumerary

Staff: Doug Anderson, Margaret Pappas, Marie York, Bert Hoffman, Victoria Burch, Grace Toledo, Jonathan Ellzey

PUBLIC HEARINGS

1. BOA-002938-2024

Case #: 6589
Location: 557 St. Louis Street
Applicant/Agent: HFI, 1 LLC
Council District: District 2
Proposal: Visible Transmittance and Roofing Materials Variances to allow less than 0.78 visible transmittance rating for new windows and to allow a colored metal roof in an SD-WH, Special District – Warehouse Sub-District of the Downtown Development District; the Unified Development Code (UDC) requires a minimum 0.78 visible transmittance rating for new windows and prohibits colored metal roofs in an SD-WH, Special District – Warehouse Sub-District of the Downtown Development District.

Motion TO APPROVE by Jeremy Milling; second by Adam Metcalfe. **Approved.**

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

- 1) The variance **will not** be contrary to the public interest;
- 2) Special conditions **exist** such that a literal enforcement of the provisions of the chapter **will** result in unnecessary hardship; and
- 3) The spirit of the chapter **shall be** observed and substantial justice **done** to the applicant and the surrounding neighborhood by granting the variance.

2. BOA-002939-2024

Case #: 6590
Location: 957 Minor Street
Applicant/Agent: Persons Services Corp.
Council District: District 1
Proposal: Side Yard Setback Variance to allow reduced side yard setbacks for a dwelling in an R-1, Single-Family Urban District; the Unified Development Code (UDC) requires a dwelling to have a minimum of five-foot (5') side yard setbacks in a R-1, Single-Family Urban District.

Motion TO APPROVE by Chris Carroll; second by Gregory Morris. **Approved.**

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

- 1) The variance **will not** be contrary to the public interest;
- 2) Special conditions exist such that a literal enforcement of the provisions of the chapter **will** result in unnecessary hardship; and
- 3) The spirit of the chapter **shall** be observed and substantial justice done to the applicant and the surrounding neighborhood by granting the variance.

The approval is subject to the following conditions:

- 1) Obtaining all necessary building permits; and
- 2) Full compliance with all municipal codes and ordinances.

3. BOA-002940-2024

Case #: 6591/2477
Location: 3008 Government Boulevard
Applicant/Agent: Air Engineers
Council District: District 4
Proposal: Front Yard Setback, Parking Surfacing, and Site Coverage Variances to allow a building addition within the 25-foot front yard setback, and increased site coverage in a B-3, Community Business Suburban District; the Unified Development Code (UDC) does not allow structures within the 25-foot front yard setback, requires a compliant amount of parking spaces, asphalt or concrete for all required parking spaces, and limits site coverage to no more than 50% in a B-3, Community Business Suburban District

Motion TO APPROVE by Adam Metcalfe; second by Gregory Morris. **Approved.**

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

- 1) The variance **will not** be contrary to the public interest;
- 2) Special conditions exist such that a literal enforcement of the provisions of the chapter **will** result in unnecessary hardship; and
- 3) The spirit of the chapter **shall** be observed and substantial justice done to the applicant and the surrounding neighborhood by granting the variance.

The applicant withdrew the request for the reduced parking ratio at the meeting.

4. BOA-002942-2024

Case #: 6592/6106/5990/5149
Location: 669 Azalea Road
Applicant/Agent: The CORE Project, Inc. / Matthew McDonald, Agent
Council District: District 5
Proposal: Use Variance to allow a day care center (child and adult) with social assistance, welfare, and charitable services in a R-1, Single-Family Residential Suburban District; the Unified Development Code (UDC) does not allow a day care center (child and adult) with social assistance, welfare, and charitable services in a R-1, Single-Family Residential Suburban District.

Motion TO APPROVE by Adam Metcalfe; second by Gregory Morris. **Approved.**

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

- 1) The variance **will not** be contrary to the public interest;
- 2) Special conditions exist such that a literal enforcement of the provisions of the chapter **will** result in unnecessary hardship; and
- 3) The spirit of the chapter **shall** be observed and substantial justice done to the applicant and the surrounding neighborhood by granting the variance.

The approval is subject to the following conditions:

- 1) Revision of a compliant site plan to include parking calculations and a breakdown of all existing and proposed use types providing the total amount of floor area designated between each use;
- 2) Provision of a note on the site plan stating that any and all future development of the site must comply with current development standards as detailed in the Unified Development Code;
- 3) Compliance with all Engineering comments noted in this staff report;
- 4) Compliance with Traffic Engineering comments as follows: Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required

on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Article 3, Section 64-3-12 of the City's Unified Development Code;

- 5) Compliance with all Urban Forestry comments noted in this staff report;
- 6) Compliance with all Fire Department comments noted in this staff report;
- 7) Provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
- 8) Full compliance with all municipal codes and ordinances.

5. BOA-002952-2024

Case #: 6593/5981/4384/4357
Location: 251 Government Street
Applicant/Agent: The Avocet Hospitality Group
Council District: District 2
Proposal: Sign Variance to allow an individual storefront sign to be attached to a gallery in a T-5.2 Sub-District of the Downtown Development District; the Unified Development Code (UDC) requires individual storefront sign to be attached to a wall in a T-5.2 Sub-District of the Downtown Development District.

Motion TO APPROVE by Adam Metcalfe; second by Lewis Golden. **Approved.**

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

- 1) The variance **will not** be contrary to the public interest;
- 2) Special conditions **exist** such that a literal enforcement of the provisions of the chapter **will** result in unnecessary hardship; and
- 3) The spirit of the chapter **shall be** observed and substantial justice **done** to the applicant and the surrounding neighborhood by granting the variance.

PUBLIC HEARINGS

- Adoption of the 2024-2025 filing deadline/meeting schedule

Motion TO APPROVE by Jeremy Milling; second by Adam Metcalfe. **Approved.**

- Approval of April 1 and May 6 minutes

Motion TO APPROVE by Lewis Golden; second by Adam Metcalfe. **Approved.**