



Agenda Item # 1 - HOLDOVER

ZON-STR-003214-2025

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

2411 Venetia Road

Applicant/Agent:

Marbury Buckhaults, Shropshire, LLC

Property Owner:

Shropshire, LLC

Current Zoning:

R-1, Single-Family Residential Suburban

Future Land Use:

Low Density Residential

Applicable Codes, Policies, and Plans:

- Unified Development Code
- Subdivision Regulations
- Map for Mobile Comprehensive Plan

Proposal:

- Conditional Use Permit to allow a Short-Term Rental in an R-1, Single-Family Suburban District.

Commission Considerations:

1. Holdover to the March 20th meeting.

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PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by single family residential units.

APPLICATION NUMBER 1 DATE March 20, 2025

APPLICANT Marbury Buckhaults, Shropshire, LLC

REQUEST Conditional Use Permit STR



NTS

HOLDOVER COMMENTS

The application was heldover from the February 20th meeting to allow the applicant to address the following:

1. Revise the site plan to depict the location of any/all garbage cans or other waste refuse bins;
2. Provide proof that all waste (garbage) refuse containers are screened from view (via photographs);
3. Provide certification (via a notarized affidavit) of the following:
 - a. That there shall be no on-site employees;
 - b. That the establishment shall not serve meals;
 - c. That the guest rooms shall not contain cooking facilities;
 - d. That a valid City of Mobile business license shall be obtained for the site, and the business license number shall be provided on any advertisement or listing for the Short-Term Rental;
 - e. That no signage or advertising copy such as Vacancy/No Vacancy, Rent/Lease, etc. shall be placed on the site;
 - f. That the name and telephone number of a local responsible party shall be conspicuously posted within the Short-Term Rental;
 - g. That the local responsible party shall answer and respond to calls twenty-four (24) hours a day, seven (7) days a week for the duration of the Short-Term Rental period to address guests' problems or complaints;
 - h. That the Short-Term Rental shall be equipped with smoke and carbon monoxide detectors;
 - i. That one (1) 2.5 lb. Class A-B-C fire extinguisher shall be provided on each floor of the dwelling; and
 - j. That the address of the dwelling shall be prominently displayed and legible on the building.

The applicant has provided the requisite information and has certified compliance with all applicable criteria for approval of the Conditional Use Permit.

It should be noted that, if approved, the Conditional Use Permit, including all restrictions and conditions concerning the use of the property, shall be recorded in the Office of the Judge of Probate. A copy of the recorded document shall be provided to the Planning and Zoning Department.

HOLDOVER CONSIDERATIONS

Based on the requested Conditional Use Permit application, if the Commission and City Council consider approval of the request, the following Findings of Fact must be present. The application:

1. Is consistent with all applicable requirements of this Chapter, including:
 - (a) Any applicable development standards; and
 - (b) Any applicable use regulations.
2. Is compatible with the character of the surrounding neighborhood;
3. Will not impede the orderly development and improvement of surrounding property; and
4. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood. In making this determination, the Planning Commission and City Council shall consider:
 - (a) The location, type and height of buildings or structures;
 - (b) The type and extent of landscaping and screening;

- (c) Lighting;
 - (d) Hours of operation; and
 - (e) Other conditions that might require mitigation of the adverse impacts of the proposed development.
5. Is designed to provide ingress and egress that minimizes traffic hazards and traffic congestion on the public roads;
 6. Is designed to minimize the impact on storm water facilities;
 7. Will be adequately served by water and sanitary sewer services;
 8. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
 9. Shall not be detrimental to or endanger the public health, safety or general welfare.
 10. The proposed use will meet the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

The Commission and City Council should determine if the site meets all requisite criteria for approval of a Short-Term Rental, as detailed in Article 5, Section 64-5-6.E.11.(g) of the UDC.

If the application is considered for approval, it should be subject to the following conditions:

1. Provision of a revised site plan and any restrictions and/or conditions concerning the use of the property to Planning and Zoning for review prior to recording, and provision of a copy of the recorded site plan and any restrictions and/or conditions concerning the use of the property (hard copy and pdf) to Planning and Zoning; and,
2. Full compliance with all municipal codes and ordinances.

SHORT-TERM RENTAL CONDITIONAL USE PERMIT CONSIDERATIONS

Standards of Review:

Conditional Use Permits (CUPs) are required for certain uses in the Use Table (Table 64-2-24.1). These uses may have some special impact which differs from the potential impacts of permitted uses, such as exceeding permitted uses in intensity, or have unique requirements specified for compliance in the Unified Development Code (UDC).

Article 5, Section 6-E. of the Unified Development Codes states the City Council shall not approve an Application for Conditional Use Permit unless the proposed use:

11. Is consistent with all applicable requirements of this Chapter, including:
 - (a) Any applicable development standards; and
 - (b) Any applicable use regulations.
12. Is compatible with the character of the surrounding neighborhood;
13. Will not impede the orderly development and improvement of surrounding property; and
14. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood. In making this determination, the Planning Commission and City Council shall consider:
 - (a) The location, type and height of buildings or structures;
 - (b) The type and extent of landscaping and screening;

- (c) Lighting;
 - (d) Hours of operation; and
 - (e) Other conditions that might require mitigation of the adverse impacts of the proposed development.
15. Is designed to provide ingress and egress that minimizes traffic hazards and traffic congestion on the public roads;
 16. Is designed to minimize the impact on storm water facilities;
 17. Will be adequately served by water and sanitary sewer services;
 18. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
 19. Shall not be detrimental to or endanger the public health, safety or general welfare.
 20. Benefits Consideration. In addition, consideration should also be given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.
 21. Criteria by Use. The Planning Commission and City Council shall give careful consideration to the warrants and criteria set forth in this section in judging applications for Conditional Use Permits involving the following uses. In considering a Conditional Use Permit, the Planning Commission and City Council may attach such reasonable conditions and safeguards in addition to those set forth in this section, as they may deem necessary to implement the purposes of this Chapter.

In addition to the general standards of review above, there are criteria specific to Short-Term Rentals, which include:

- (1) There shall be no on-site employees.
- (2) No more than eight (8) guest rooms shall be included in any one establishment.
- (3) The establishment shall not serve meals.
- (4) Guest rooms shall not contain cooking facilities.
- (5) A valid City of Mobile business license must be obtained for each discrete Short-Term Rental location and the business license number must be stated on any advertisement or listing for each Short-Term Rental. Provided, however, that Short-Term Rentals containing multiple units within a single structure that can be rented separately shall only be required to obtain a single license for each structure.
- (6) The operation shall not alter the residential nature of the neighborhood or the character of the dwelling as a residence.
- (7) The refuse area shall be screened from view, and shall be no closer than twenty (20) feet from any property line and 100 feet from any dwelling on an adjacent lot.
- (8) There shall be a minimum of two (2) off-street parking spaces for the principal occupants of the residence (if any), and a minimum of one (1) additional parking space per guest room. The additional parking spaces shall not be located in any required front or side yard setback area and shall be screened from the view of adjacent properties by natural or artificial means.
- (9) No signage or advertising copy such as Vacancy/No Vacancy, Rent/Lease, etc. is permitted.
- (10) The name and telephone number of a local responsible party shall be conspicuously posted within each Short-Term Rental. The local responsible party shall answer and respond to calls twenty-four (24) hours a day, seven (7) days a week for the duration of each Short-Term Rental period to address problems or complaints associated with the Short-Term Rental.
- (11) Each Short-Term Rental must meet applicable building and fire codes and be equipped with the following safety equipment and features: a.
 - a. Operational smoke and carbon monoxide detectors.

- b. One (1) 2.5 lb. Class A-B-C fire extinguisher per floor.
- c. Prominently displayed and legible 9-1-1 address on building exterior

- (12) May not occupy any accessory structure, accessory dwelling unit, outdoor space, or recreational vehicle on the site.

Planning Comments:

The applicant is requesting a Conditional Use Permit to allow a Short-Term Rental in an R-1, Single-Family Residential Suburban District. The applicant's narrative justifying the request can be viewed using the link on Page 1 of this report.

In reviewing the request, staff has determined that the site does/does not meet the following site and design criteria of Article 5, Section 6-E. of the UDC:

The site does meet the criteria		That there are no more than eight (8) guest rooms.
The site does meet the criteria		That the operation will not alter the residential nature of the neighborhood.
The site does meet the criteria		That the operation does not alter the character of the dwelling as a residence.
	The site does not meet the criteria	That the refuse (garbage) area is screened from view.
The site does meet the criteria		That the refuse (garbage) area is no closer than 20 feet from any property line.
The site does meet the criteria		That the refuse (garbage) area is no closer than 100 feet from any other dwelling.
The site does meet the criteria		That the minimum number of parking spaces are provided.
The site does meet the criteria		That the operation does not occupy any accessory structure, accessory dwelling unit, outdoor space, or recreational vehicle on the site.

The applicant has/has not certified the following in their application:

	Has not certified	That there shall be no on-site employees.
	Has not certified	That the establishment shall not serve meals.
	Has not certified	That the guest rooms shall not contain cooking facilities.
	Has not certified	That a valid City of Mobile business license shall be obtained for the site, and the business license number shall be provided on any advertisement or listing for the Short-Term Rental.
	Has not certified	That no signage or advertising copy such as Vacancy/No Vacancy, Rent/Lease, etc. shall be placed on the site.
	Has not certified	That the name and telephone number of a local responsible party shall be conspicuously posted within the Short-Term Rental.
	Has not certified	That the local responsible party shall answer and respond to calls twenty-four (24) hours a day, seven (7) days a

		week for the duration of the Short-Term Rental period to address guests' problems or complaints.
	Has not certified	That the Short-Term Rental shall be equipped with smoke and carbon monoxide detectors.
	Has not certified	That one (1) 2.5 lb. Class A-B-C fire extinguisher shall be provided on each floor of the dwelling.
	Has not certified	That the address of the dwelling shall be prominently displayed and legible on the building.

Approval of the request should be contingent upon full compatibility with the requisite criteria for approval of a Conditional Use Permit for a Short-Term Rental. **All criteria in the above tables should be certified and the site must meet all criteria for the Conditional Use Permit to be approved.** If the criteria are not certified and the site does not meet all applicable criteria, then the Conditional Use Permit cannot be approved.

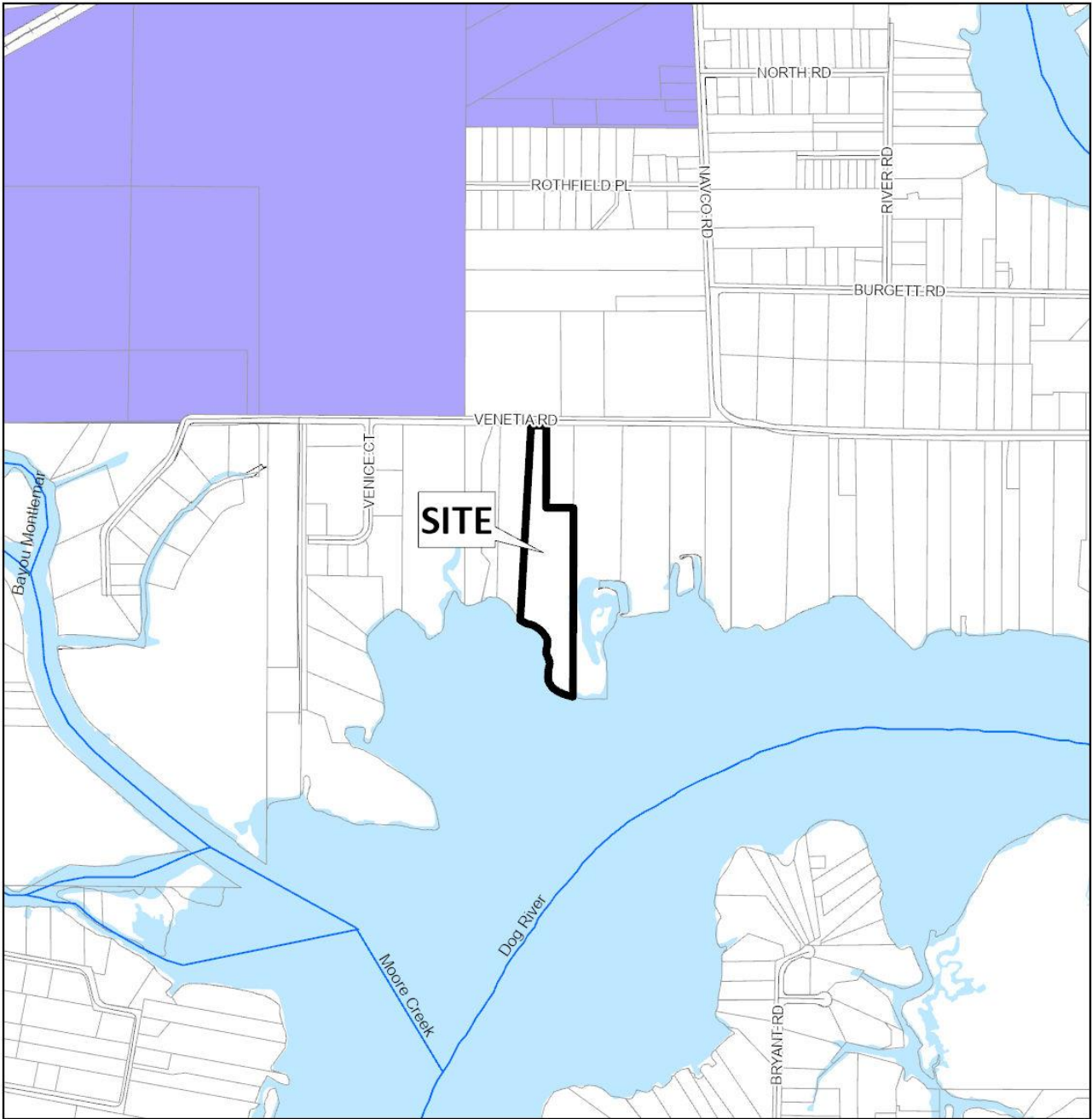
It should be noted that, if approved, the Conditional Use Permit, including all restrictions and conditions concerning the use of the property, shall be recorded in the Office of the Judge of Probate. A copy of the recorded document shall be provided to the Planning and Zoning Department.

Considerations:

The Planning Commission should consider a holdover of the request until the March 20th meeting, with additional information submitted no later than March 5th, to allow the applicant to address the following:

4. Revise the site plan to depict the location of any/all garbage cans or other waste refuse bins;
5. Provide proof that all waste (garbage) refuse containers are screened from view (via photographs);
6. Provide certification (via a notarized affidavit) of the following:
 - a. That there shall be no on-site employees;
 - b. That the establishment shall not serve meals;
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 - f. That the name and telephone number of a local responsible party shall be conspicuously posted within the Short-Term Rental;
 - g. That the local responsible party shall answer and respond to calls twenty-four (24) hours a day, seven (7) days a week for the duration of the Short-Term Rental period to address guests' problems or complaints;
 - h. That the Short-Term Rental shall be equipped with smoke and carbon monoxide detectors;
 - i. That one (1) 2.5 lb. Class A-B-C fire extinguisher shall be provided on each floor of the dwelling; and
 - j. That the address of the dwelling shall be prominently displayed and legible on the building.

LOCATOR ZONING MAP



APPLICATION NUMBER 1 DATE March 20, 2025

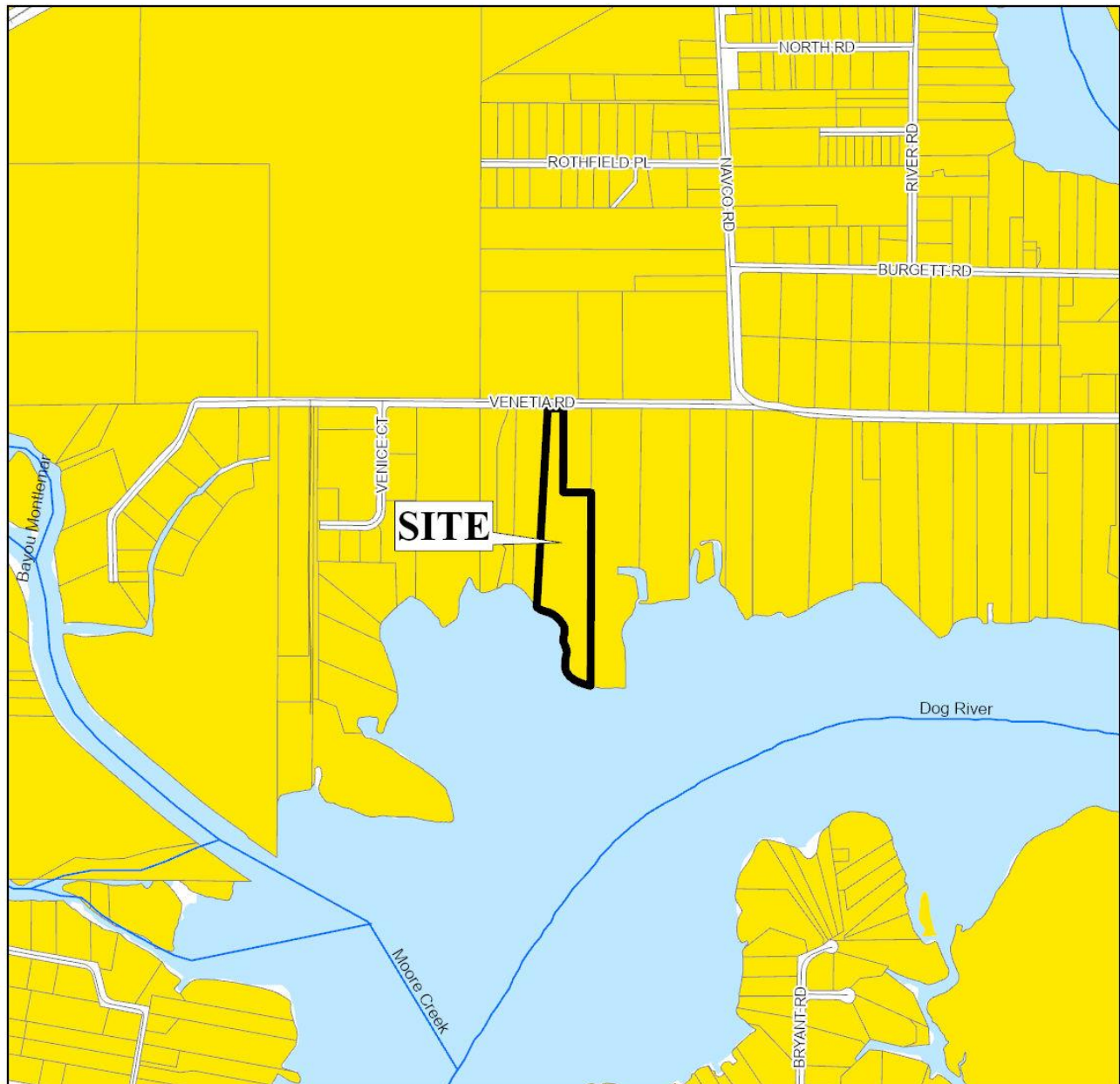
APPLICANT Marbury Buckhaults, Shropshire, LLC

REQUEST Conditional Use Permit STR



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FLUM LOCATOR MAP



APPLICATION NUMBER 1 DATE March 20, 2025

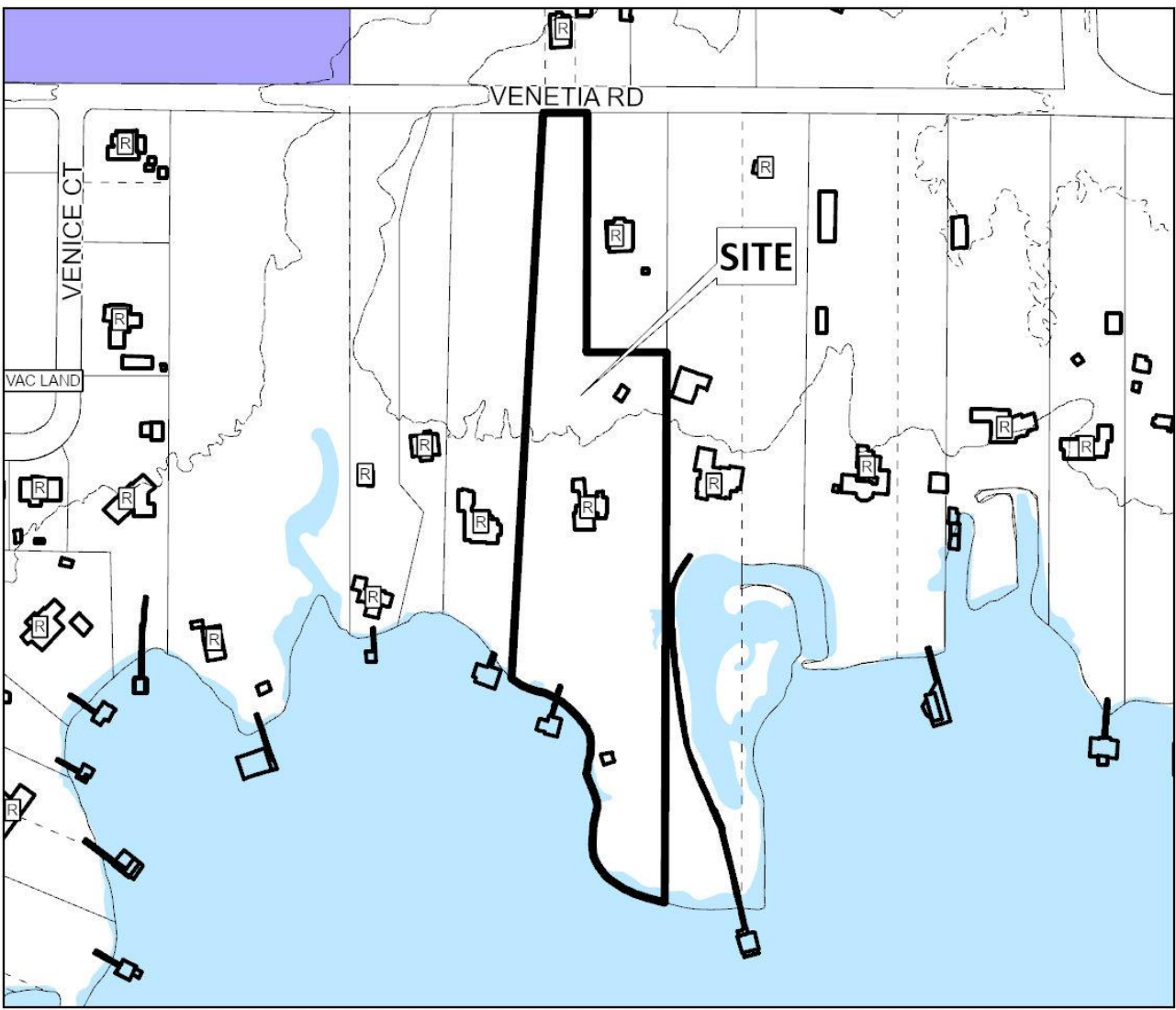
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






















































































- | | | | |
|---|--|---|---|
| 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 | |



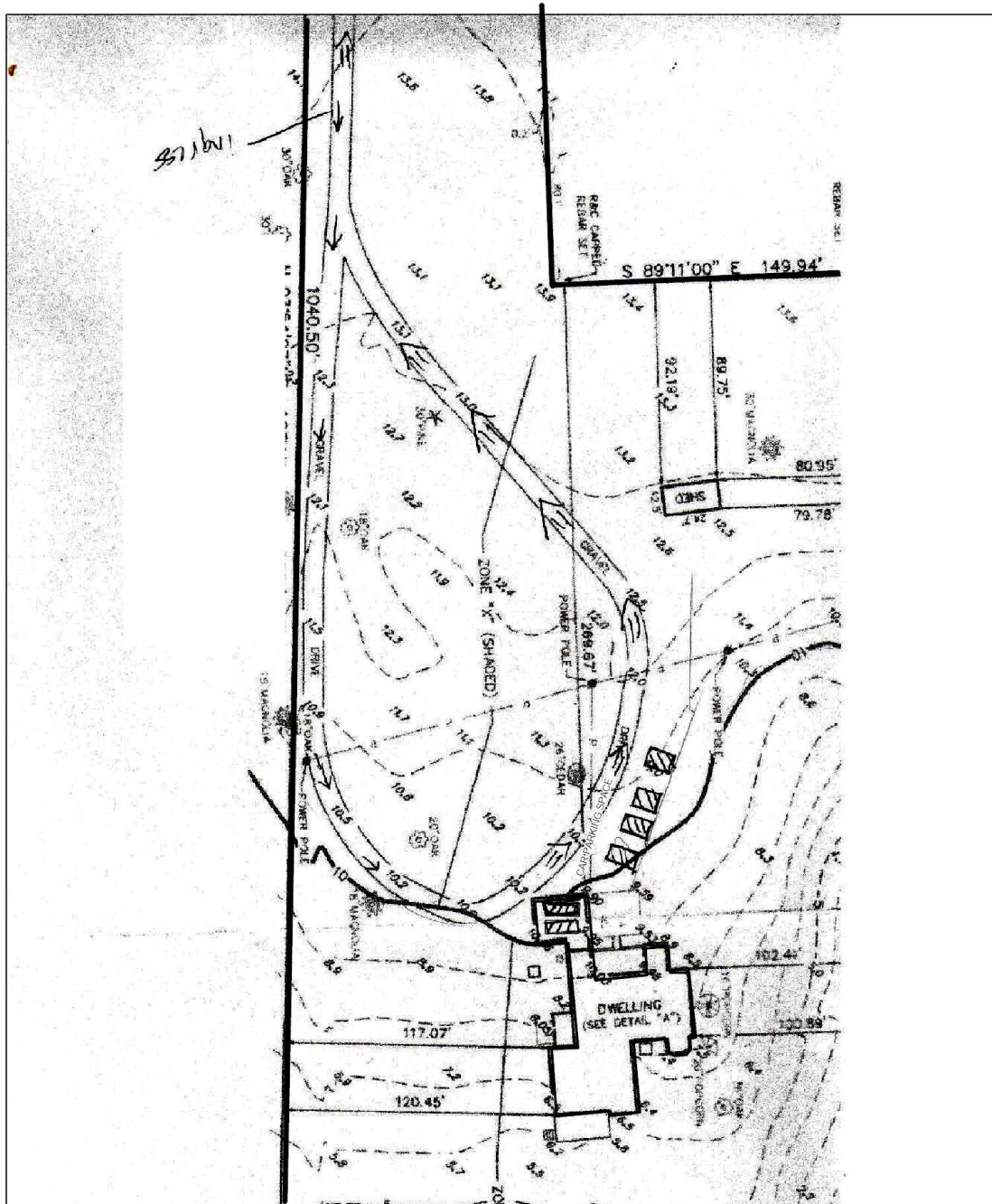
PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential units.


APPLICATION NUMBER <u>1</u> DATE <u>March 20, 2025</u>		 NTS																														
APPLICANT <u>Marbury Buckhaults, Shropshire, LLC</u>																																
REQUEST <u>Conditional Use Permit STR</u>																																
<table border="0"> <tr> <td> R-A</td> <td> R-3</td> <td> B-1</td> <td> B-2</td> <td> B-5</td> <td> ML</td> <td> I-2</td> <td> OPEN</td> <td> T-3</td> <td> T-5.2</td> </tr> <tr> <td> R-1</td> <td> R-B</td> <td> T-B</td> <td> B-3</td> <td> CW</td> <td> MH</td> <td> PD</td> <td> SD</td> <td> T-4</td> <td> T-6</td> </tr> <tr> <td> R-2</td> <td> H-B</td> <td> LB-2</td> <td> B-4</td> <td> MM</td> <td> I-1</td> <td> MUN</td> <td> SD-WH</td> <td> T-5.1</td> <td></td> </tr> </table>			 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	
 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



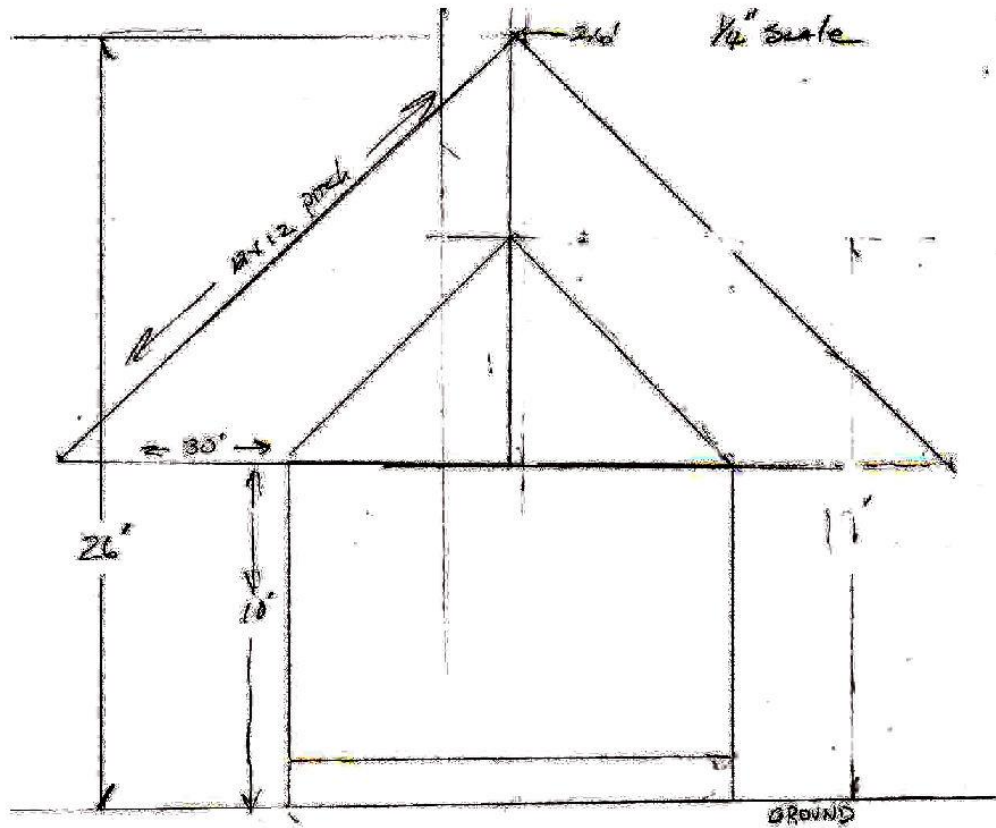
The site plan illustrates the existing residence, drive, and parking spaces.

APPLICATION NUMBER	1	DATE	March 20, 2025
APPLICANT	Marbury Buckhaults, Shropshire, LLC		
REQUEST	Conditional Use Permit STR		



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DETAIL SITE PLAN



HEIGHT OF STRUCTURE 26'

APPLICATION NUMBER 1 DATE March 20, 2025

APPLICANT Marbury Buckhaults, Shropshire, LLC

REQUEST Conditional Use Permit STR



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ZONING DISTRICT CORRESPONDENCE MATRIX

		LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDWUR)
RESIDENTIAL - AG	R-A														
ONE-FAMILY RESIDENCE	R-1	■				■		■					□		
TWO-FAMILY RESIDENCE	R-2	■				■		■					□	○	
MULTIPLE-FAMILY	R-3	○	■			■	■	■					□	○	
RESIDENTIAL-BUSINESS	R-B		○			■		■					□	○	
TRANSITIONAL-BUSINESS	T-B		○		■	■	■	■					□		
HISTORIC BUSINESS	H-B			■		■		■					□		
VILLAGE CENTER	TCD					■	■						□		
NEIGH. CENTER	TCD					■	■						□		
NEIGH. GENERAL	TCD					■							□		
DOWNTOWN DEV. DDD	T-6			■									□		
DOWNTOWN DEV. DDD	T-5.1			■		■		□					□		
DOWNTOWN DEV. DDD	T-5.2			■		■							□		
DOWNTOWN DEV. DDD	T-4			■		■		□					□		
DOWNTOWN DEV. DDD	T-3			■		■							□		
DOWNTOWN DEV. DDD	SD-WH									○	○		□		
DOWNTOWN DEV. DD	SD	○	○	○	○	○	○	○		○	○		□		
BUFFER BUSINESS	B-1		□			□	■	■	■				□	○	
NEIGH. BUSINESS	B-2		○			□	■	■	■				□	○	
LIMITED BUSINESS	LB-2		○			□	■	■	■				□	○	
COMMUNITY BUSINESS	B-3				■				■			○	□	○	
GEN. BUSINESS	B-4			■					■			○	□	○	
OFFICE-DISTRIBUTION	B-5								■	■			□	□	
LIGHT INDUSTRY	I-1									■			□	□	□
HEAVY INDUSTRY	I-2										■		□		□

Zoning District Correspondence Matrix

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

LOW DENSITY RESIDENTIAL (LDR)

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.