



Mobile Board of Zoning Adjustment **Results** Agenda

August 3, 2026 – 2:00 P.M.

ADMINISTRATIVE

Roll Call

X	Mr. William L. Guess, Chairman
X	Mr. Adam Metcalfe, Vice Chairman
X	Mr. Lewis Golden
X	Mr. Jeremy B. Milling
	Mr. William Petway
X	Mr. Gregory Morris, Sr.
	Ms. Trithenia Ferrell
X	Mr. Taylor Atchison, Supernumerary
X	Mr. Allen Williams, Supernumerary

Staff: Doug Anderson, Stephen Guthrie, Marie York, Logan Anderson, Victoria Burch, Jonathan Ellzey

MOTION TO ADOPT THE AGENDA BY JEREMY MILLING/GREGORY MORRIS; SECOND BY ADAM METCALFE.

Order of Hearing: #2 – 11, 1

EXTENSIONS

1. BOA-003538-2025

Case #: 6717
Location: 503 and 505 Congress Street
Applicant/Agent: Porchlight, LLC (Keri Coumanis, Agent)
Council District: District 2
Proposal: Use Variance to allow a concert and event venue with 100 seats in a T-4 Sub-district of the Downtown Development District; the Unified Development Code (UDC) does not allow a concert and event venue in a T-4 Sub-district of the Downtown Development District.

Motion TO APPROVE by Gregory Morris; second by Taylor Atchison. **Approved.**

After discussion, the Board approved a one (1) year extension.

2. BOA-003265-2025

Case #: 6662/6549
Location: 720 Museum Drive
Applicant/ Agent: Philip Burton, Burton Property Group, LLC
Council District: District 7
Proposal: Use Variance to allow a hotel in a B-2, Neighborhood Business Suburban District, within the Neighborhood General sub-district of the Spring Hill Overlay.; the Unified Development Code (UDC) does not allow hotels in a B-2, Neighborhood Business Suburban District, within the Neighborhood General sub-district of the Spring Hill Overlay.

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

After discussion, the Board approved a one (1) year extension.

3. BOA-003635-2026

Case #: 6741/6662/6549
Location: 720 Museum Drive
Applicant/Agent: Museum Partners, LLC
Council District: District 7
Proposal: Large Building Footprint, Reduced Landscape Area, Increased Parking, Reduced Street Trees, and Public Access Variances to allow a structure larger than 20,000 square feet, reduced front landscaped area, more than 20% of the required parking spaces, a reduced number of street tree plantings, and reduced public access doors in a B-2, Neighborhood Business Suburban District, within the Neighborhood General sub-district of the Spring Hill Overlay; the Unified Development Code (UDC) limits structures to a maximum size of 20,000 square feet, requires full landscape area compliance, does not allow more than 20% above the minimum parking requirement be provided, full compliance with street tree plantings, and the provision of public access no greater than 50-feet apart in a B-2, Neighborhood Business Suburban District, within the Neighborhood General sub-district of the Spring Hill Overlay.

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

After discussion, the Board approved a one (1) year extension.

PUBLIC HEARINGS

4. BOA-003776-2026

Case #: 6768/4641
Location: 2668 Berkley Avenue
Applicant/Agent: Complete Signs
Council District: District 1
Proposal: Sign Variance to allow an electronic message center within 300-feet of residentially zoned properties in a B-2, Neighborhood Business Suburban District; the Unified Development Code (UDC) does not allow an electronic message center within 300-feet of residentially zoned properties in a B-2, Neighborhood Business Suburban District.

Motion TO APPROVE by Jeremy Milling; second by Taylor Atchison. **Approved.**

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

- A) The variance **will not** be contrary to the public interest;
- B) Special conditions exist such that a literal enforcement of the provisions of the chapter **will** result in unnecessary hardship; and
- C) 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 of a Sign Permit from the Planning and Zoning Department;
- 2) Obtaining of an Electrical Permit from the Permitting Department;
- 3) Compliance with Section 64-4-14.O. of the sign regulation provisions regarding digital signs;
- 4) The electronic message center is to be turned off between 9 PM and 6 AM; and
- 5) Full compliance with all other municipal codes and ordinances.

5. BOA-003799-2026

Case #: 6769/6630/6227/5646
Location: 306, 308, and 310 Glenwood Street
Applicant/Agent: Dixie Designs, LLC
Council District: District 5
Proposal: Use Variance to allow a warehouse in a B-2, Neighborhood Business Urban District; the Unified Development Code (UDC) does not allow warehouses in a B-2, Neighborhood Business Urban District.

Motion TO APPROVE by Taylor Atchison; second by Lewis Golden. **Approved.**
Allen Williams recused

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

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

6. BOA-003801-2026

Case #: 6770/6439/4819/4342/2484
Location: 1451 Cedar Crescent Drive
Applicant/Agent: Byrd Surveying
Council District: District 3
Proposal: Protection Buffer Variance to amend a previously approved variance in an R-3, Multi-Family Residential District; the Zoning Ordinance requires a protection buffer in an R-3, Multi-Family Residential District.

Motion TO HOLDOVER by William Guess; second by Jeremy Milling. **Heldover to September 14, 2026.**

After discussion, the Board heldover the application to the September 14th meeting to allow the applicant to discuss the application in more detail with Planning & Zoning staff and Legal.

7. BOA-003805-2026

Case #: 6771
Location: 1214 Texas Street
Applicant/Agent: BPCH Builders, LLC
Council District: District 2
Proposal: Lot Size Variance to allow sub-standard size lots in an R-1, Single-Family Residential Urban District; the Zoning Ordinance requires lots to be a minimum of 6,000 square feet in an R-1, Single-Family Residential Urban District.

A Motion TO DENY was made by Jeremy Milling; second by Gregory Morris. **Denied.**

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

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

8. BOA-SE-003807-2026

Case #: 6772
Location: 2770 Government Boulevard
Applicant/Agent: TowerCo, LLC (Baker Donnelson Law Firm, Agent)
Council District: District 2
Proposal: Special Exception approval to allow a telecommunications facility requiring a Class 4 permit in a B-2, Neighborhood Business Suburban District; the Unified Development Code (UDC) requires a Special Exception to allow a telecommunications facility requiring a Class 4 permit in a B-2, Neighborhood 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:

- 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.
- 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) Submittal and completion of a Subdivision application;
- 2) Approval of the associated Variance requests; and
- 3) Full compliance with all municipal codes and ordinances.

Adam Metcalfe left the meeting

9. BOA-003808-2026

Case #: 6773
Location: 2770 Government Boulevard
Applicant/Agent: TowerCo, LLC (Baker Donnelson Law Firm, Agent)
Council District: District 2
Proposal: Setback, Access, Surfacing, Tree Planting and Landscape Area, Height, and Camouflage Variances allow a telecommunications facility to have reduced setbacks, reduced driveway width, gravel surfacing, reduced tree planting and landscape area, with a maximum height of 150-feet, and no camouflage in a B-2, Neighborhood Business Suburban District; the Unified Development Code (UDC) requires setbacks equal to the height of the proposed tower, 24-foot wide driveways, asphalt or concrete surfacing, full compliance with tree planting and landscape area requirements, limits structures to a maximum height of 45-feet, and requires telecommunications to be camouflaged in a B-2, Neighborhood Business Suburban District.

Motion TO APPROVE by William Guess; second by Gregory Morris. **Approved.**

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

- A) The variance **will not** be contrary to the public interest;
- B) Special conditions **exist** such that a literal enforcement of the provisions of the chapter **will** result in unnecessary hardship; and
- C) 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) Submittal and completion of a Subdivision application;
- 2) Approval of the associated Special Exception requests; and
- 3) Full compliance with all municipal codes and ordinances.

10.BOA-003809-2026

Case #: 6774
Location: 6068 Highland Circle North
Applicant/Agent: A Plus Patio & Screen, LLC
Council District: District 5
Proposal: Side Yard Setback Variance to allow an addition less than 10-feet from the side property line in an R-3, Multi-Family Residential Suburban District; the Zoning Ordinance requires all structures to be a minimum of 10-feet from the side property line in an R-3, Multi-Family Residential Suburban District.

Motion TO APPROVE by Gregory Morris; second by Taylor Atchison. **Approved.**

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

- A) The variance **will not** be contrary to the public interest;
- B) Special conditions **exist** such that a literal enforcement of the provisions of the chapter **will** result in unnecessary hardship; and
- C) 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) Provision of gutters and downspouts on the addition;
- 2) Acquisition of all required permits and inspections; and
- 3) Compliance with all other codes and ordinances.

*Doug Anderson left the meeting during discussion**

11.BOA-003810-2026

Case #: 6775/4708/2160/676/437
Location: 1308 Old Shell Road and 109 North Ann Street
Applicant/Agent: Evan Burdette, Old Shell & Ann, LLC
Council District: District 2
Proposal: Lot Size and Side Yard Setback Variances to allow sub-standard size lots with no side yard setback in an R-1, Single-Family Residential Urban District; the Zoning Ordinance requires lots to be a minimum of 6,000 square feet with a minimum five-foot (5') side yard setback in an R-1, Single-Family Residential Urban District.

Motion TO HOLDOVER by Gregory Morris; second by Jeremy Milling. **Heldover to September 14, 2026.**
Lewis Golden recused.

After discussion, the Board heldover the application to the September 14th meeting at the applicant's request.

OTHER BUSINESS
