

# BOARD OF ZONING ADJUSTMENT

## **RESULTS** AGENDA

January 11, 2021 - 2:00 P.M.

Meeting streamed online.

### **I. CALL TO ORDER:**

Chairman William Guess

### **II. ROLL CALL**

x	William L. Guess, Chairman
x	Sanford Davis, Vice-Chairman
	Vernon Coleman
x	Lewis Golden
x	Adam Metcalfe
x	Jeremy B. Milling
x	John Burroughs

**Staff.** Margaret Pappas, Doug Anderson, Bert Hoffman, John Strope

### **III. ADOPTION OF THE AGENDA:**

Motion to adopt by Lewis Golden. Second by Jeremy Milling. **Adopted.**

### **IV. HOLDOVERS:**

- #6359**  
**(Case #BOA-001415-2020)**  
**Revitalize Mobile, LLC**  
**1710 Gulf Field Drive North**  
(North side of Gulf Field Drive North; 141'± East of Maryvale Street South).  
**Use Variance to allow three (3) dwelling units in an R-1, Single-Family Residential District; the Zoning Ordinance limits the maximum number of dwellings allowed on a single lot to one (1) in an R-1 Single Family Residential District.**  
Council District 3

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Motion to approve, subject to compliance with all codes and ordinances, and obtaining proper permits, by Adam Metcalfe. Second by Jeremy Milling. **Denied due to a lack of affirmative votes.** John Burroughs, Sanford Davis, William Guess and Lewis Golden voted in opposition.

**After discussion, the motion to approve the request failed due to a lack of five (5) affirmative votes, thus the request was Denied.**

**V. PUBLIC HEARINGS:**

2. **#6363**  
**(Case #BOA-001454-2020)**  
**Ascension Providence (Tracey Diehl, Agent)**  
**6801 Airport Boulevard**

(Southeast corner of Airport Boulevard and Providence Hospital Drive.)

**Sign Variance to allow an increase in the number and size of allowable signage in a B-1, Buffer Business District and a B-3, Community Business District; the Zoning Ordinance requires that all signage comply with current sign regulations and standards in a B-1, Buffer Business District and a B-3, Community Business District.**  
Council District 6

Motion to approved by Adam Metcalfe. Second by Jeremy Milling. **Approved.**

**After discussion, the Board determined the following Findings of Fact for Approval:**

- 1) Approving the variance will not be contrary to public interest due to the necessity of detailed wayfinding on a large hospital campus;
- 2) Special conditions and hardships exist which exist that make the placement of the proposed signs necessary; and
- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the variance will be beneficial to potential visitors of the hospital.

The approval is subject to the following conditions:

- 1) the obtaining of any necessary sign permits; and
- 2) full compliance with all other municipal codes and ordinances.

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3. **#6364**  
(Case #BOA-001455-2020)  
**Henry Hamilton**  
**2339 Dauphin Island Parkway**  
(North side of Dauphin Island Parkway, 118'± West of Rosedale Road).  
**Use Variance to allow automobile sales and service in an R-1, Single-Family Residential District; the Zoning Ordinance does not allow automobile sales and service in an R-1, Single-Family Residential District.**  
Council District 3

Motion to holdover by Adam Metcalfe. Second by Jeremy Milling. **Heldover until the April 5, 2021 meeting.**

**After discussion, the Board heldover the request until the April 5, 2021 meeting, so that the applicant could submit a rezoning request to the Planning Commission.**

4. **#6365/6295/6006/5953**  
(Case #BOA-001456-2020)  
**Gray Arnold (Don Williams, Agent)**  
**103 North Warren Street**  
(Northwest corner of North Warren Street and Saint Michael Street).  
**Site Variances to allow 877 square feet of forecourt area and a covered, partially enclosed terrace in an SD-WH, Special District – Warehousing of the Downtown Development District; the Zoning Ordinance limits the maximum size of pedestrian forecourt frontages to 600 square feet and does not allow terraces to be covered or partially enclosed in an SD-WH, Special District – Warehousing of the Downtown Development District.**  
Council District 2

Motion to approved by Jeremy Milling. 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, as a dilapidated site and remains of a structure will be returned to habitable use;

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- 2) Special conditions exist, such as the remains of the previous building, 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, because the current request is similar to requests previously approved by the Board for this site.

The Approval is subject to the following conditions:

- 1) Obtaining all necessary permits;
- 2) Compliance with Engineering comments (*If the proposed variances are approved for use the applicant will need to have the following conditions met: 1. The proposed improvements shown on the submitted plans will require a Land Disturbance Permit – Tier 2 be submitted through Central Permitting. 2. The existing drainage patterns and surface flow characteristics should not be altered so as to have a negative impact on any adjoining properties or any public rights-of-way. 3. Any and all proposed land disturbing activity within the property will need to be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. Applicant agrees to install adequate BMPs during construction to protect from sediment/pollutants leaving the site. 5. If there are any proposed encroachment (building, wall, steps, door swing, balcony, etc.) into a public RIGHT-OF-WAY (Mobile Rights of Way Construction and Administration Ordinance) a NON-UTILITY RIGHT-OF-WAY USAGE application to the Right of Way Committee for review is required. If the application is approved, an agreement will be made between the applicant and the City.* );
- 3) Compliance with Fire comments (*All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.*); and
- 4) Full compliance with all municipal codes and ordinances.

5. **#6366**  
**(Case #BOA-001457-2020)**

**Melinda Harmon**

**914 Government Street**

(North side of Government Street, 367'± West of South Broad Street).

**Use Variance to allow a funeral service facility in a B-2, Neighborhood Business District; the Zoning Ordinance does not allow funeral service facilities in a B-2, Neighborhood Business District.**

Council District

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The applicant withdrew the request prior to the Board undertaking a vote. **Withdrawn.**

**After discussion, the applicant informed the Board that the request was being withdrawn from consideration.**

**VI. OTHER BUSINESS:**

Adjourned at 3.14