

# BOARD OF ZONING ADJUSTMENT

## RESULTS AGENDA

October 3, 2022 - 2:00 P.M.

Auditorium, Government Plaza

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

Chairman William Guess

### **II. ROLL CALL**

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

**Staff present:** Doug Anderson, Marie York, Bert Hoffman, Victoria Burch, George Davis, Marybeth Bergin

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

Motion made by Jeremy Milling. Second by Gregory Morris. **Adopted.**

### **IV. EXTENSIONS:**

1. **#6431/3924**

(Case #BOA-001857-2021)

**Frankie Smith**

**960 South Lawrence Street**

(Northwest corner of South Lawrence Street and South Carolina Street).

**Front Yard and Side Street Side Yard Setback Variances to allow a building addition within the required front and side street side yard setbacks in an I-1, Light Industry District; the Zoning Ordinance requires full compliance with the front yard and side street side yard setback requirements in an I-1, Light Industry District.**

Council District 3

Motion to approve made by Adam Metcalfe, seconded by Gregory Morris. **Approved.**

**After discussion, the Board approved the request for a six (6) month extension.**

2. **#6441**

(Case #BOA-001916-2021)

**Tonique Burns**

**870 Carleton Avenue**

(North side of Carleton Avenue at the North terminus of Wright Street).

**Use Variance to allow a maximum of ten (10) children in a home-based child day care business in an R-1, Single-Family Residential District; the Zoning Ordinance does not allow more than six (6) children in a home-based child day care business in an R-1, Single-Family Residential District.**

Council District 1

Motion to approve made by Adam Metcalfe, seconded by Sanford Davis. **Approved.**  
Lewis Golden opposed.

**After discussion, the Board approved the request for a six (6) month extension.**

3. **#6447/6420**

(Case #BOA-001953-2022)

**Roxanne Eaton & Joyce Pritchett**

**3340 Lees Lane**

(West side of Lees Lane, 680'± South of its North terminus).

**Use Variance to allow a family recreation venue with accessory use facilities in an R-1, Single-Family Residential District; 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.**

Council District 4

Motion to approve made by Gregory Morris, seconded by Chris Carroll. **Approved.**

**After discussion, the Board approved the request for a six (6) month extension.**

V. **PUBLIC HEARINGS:**

4. **#6475/5512**

(Case #BOA-002209-2022)

**Casey Pipes**

**4742 Airport Boulevard**

(North side of Airport Boulevard, 425'± East of Bit and Spur Road).

**Use Variance to amend a previously approved Use Variance to allow medical restorative art services in a B-1, Buffer Business District; the Zoning Ordinance does not allow medical restorative art services in a B-1, Buffer Business District.**

Council District 6

Motion to approve made by Gregory Morris, seconded 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 the public interest in that it is in keeping with the character of the neighborhood;**
- 2) **Special conditions may exist in such a way that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship; and,**
- 3) **The spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the Variance.**

**The approval is subject to the following conditions:**

- 1) **the use is limited to medical restorative art and not decorative art;**
- 2) **compliance with the Engineering comments: *(If the proposed variance is approved the applicant will need to have the following conditions met: 1. If any site improvements are proposed contact [land.disturbance@cityofmobile.org](mailto:land.disturbance@cityofmobile.org) to see what type of Land Disturbance Permit will be required. 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.); and***
- 3) **full compliance with all municipal codes and ordinances.**

## **VI. OTHER BUSINESS:**