

BOARD OF ZONING ADJUSTMENT

RESULTS AGENDA

January 9, 2023 - 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: Doug Anderson, Margaret Pappas, Marie York, Bert Hoffman, Victoria Burch, George Davis

III. ADOPTION OF THE AGENDA:

Motion made be Jeremy Milling. Second by Lewis Golden. **Adopted.**

IV. HOLDOVERS:

1. #6488/3373/2960/2766/2733/2696/730

(Case #BOA-002267-2022)

Berwyn 163 LLC (Gerald Byrd, Agent)

2 North Florida Street and 2504 Dauphin Street

(Northeast corner of North Florida Street and Dauphin Street, extending to the West side of Hurlbert Street, 145'± North of Dauphin Street).

Use Variance to allow off-site parking in an R-1, Single-Family Residential District, for a commercial site in a B-1, Buffer Business District; the Zoning Ordinance does not allow off-site parking in an R-1, Single-Family Residential District, and requires all parking to be on-site for a commercial site in a B-1, Buffer Business District.

Council District 1

Motion to approve Adam Metcalfe. Second by Greg Morris. **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;
- 2) Special conditions do exist in such a way that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship to residents in the surrounding area; 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 condition:

- 1) Repair or replace privacy fence around parking area to be in good condition, and up to eight (8)-feet tall.

V. PUBLIC HEARINGS:

2. #6489/6258/4827/4826/4549/2439

(Case #BOA-002275-2022)

Stephen M. Griffith (Gerald Byrd, Agent)

1260 and 1262 Government Street

(Northeast corner of Government Street and South Ann Street).

Use Variance to allow truck leasing in a B-2, Neighborhood Business District; the Zoning Ordinance does not allow truck leasing in a B-2, Neighborhood Business District.

Council District 2

Motion to holdover by Jeremy Milling. Second by Sanford Davis. **Heldover.**

After discussion and at the request of the applicant, the Board heldover the application to the February 6, 2023 meeting, to allow the applicant to meet with the neighborhood and hear their concerns.

3. #6491/6402

(Case #BOA-002279-2022)

Taylor Atchison

755 Monroe Street

(Southeast corner of Monroe Street and South Bayou Street).

Parking Screening Variance to allow reduced tree plantings for a parking lot in a T-5.1 Sub-District of the Downtown Development District; the Zoning Ordinance requires full compliance with parking screening tree plantings in a T-5.1 Sub-District of the Downtown Development District.

Council District 2

Motion to holdover made by Adam Metcalfe and seconded by Chris Carroll.

After discussion the Board heldover the application to the February 6, 2023 to allow the applicant time to go through the non-utility right-of-way use agreement process.

4. #6492/3565

(Case #BOA-002325-2022)

Wrico Signs

6051 Old Shell Road

(Southwest corner of Old Shell Road and Center Drive).

Sign Variance to allow a digital electronic message center sign within 300 feet of residentially zoned property in a B-1, Buffer Business District; the Zoning Ordinance does not allow a digital electronic message center sign within 300 feet of residentially zoned property in a B-1, Buffer Business District.

Council District 6

Motion to approve by Adam Metcalfe. Second by Greg Morris. **Approved. (William Guess and and Jeremy Milling opposed.)**

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

- 1) Approving the variance will not be contrary to the public interest in that the proposed sign will face the University of South Alabama, whose student population is served by the applicant, and not facing the nearby residences.**

The approval is subject to the following conditions:

- 1) Reconfiguration of the sign to be one (1)-sided, and face North;**
- 2) The sign is restricted to a static image after sunset; and**
- 3) The sign is to be turned off from 10 PM – 7 AM.**

VI. OTHER BUSINESS: