



Mobile Board of Zoning Adjustment **Results Agenda**

June 1, 2026 – 2:00 P.M.

ADMINISTRATIVE

Roll Call

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

Staff: Doug Anderson, Stephen Guthrie, Marie York, Bert Hoffman, Victoria Burch, Jonathan Ellzey, Grace Toledo, Ricardo Woods, Shayla Beaco (Ricardo & Shayla did not return after executive session)

MOTION TO ADOPT THE AGENDA BY GREGORY MORRIS; SECOND BY TRITHENIA FERRELL.

HOLDOVERS

1. BOA-SE-003655-2026

Case #: 6744/6700
Location: 316 Dauphin Street
Applicant/Agent: Mary Daffin (Robert Maurin, Agent)
Council District: District 2
Proposal: Special Exception approval to allow an event venue with an occupant load of 270 people in a T-5.1 Sub-District of the Downtown Development District; the Unified Development Code (UDC) requires Special Exception approval to allow an event venue with an occupant load over 100 people in a T-5.1 Sub-District of the Downtown Development District.

Ricardo Woods requested that the Board enter into executive session to discuss legal proceedings.

Motion TO APPROVE by Adam Metcalfe; second by Gregory Morris. **Approved.**

The approval is subject to the following conditions:

- 1) Occupancy load limited to 180 persons;
- 2) Approval by the Architectural Review Board for any exterior improvements, if appropriate;
- 3) Approval by the Architectural Review Board and a Certificate of Appropriateness for any signage, if appropriate;
- 4) Approval by the Consolidated Review Committee for any exterior improvements, as appropriate; and
- 5) Full compliance with all other municipal codes and ordinances.

2. BOA-003700-2026

Case #: 6747/6652
Location: 1408 Cody Road North
Applicant/Agent: Elliott Land Developments, LLC (Jay Broughton, Agent)
Council District: District 7
Proposal: Lot Size, Setback, Site Coverage, and Common Area Variances to allow reduced lot sizes, reduced setbacks, increased site coverage, and reduced common area for a new 230-lot development in an R-3, Multi-Family Residential Suburban District; the Unified Development Code (UDC) requires newly created lots to be a minimum of 10,000 square feet, with compliant setbacks, a maximum allowed 45% site coverage, and 700 square feet of common area per dwelling unit in an R-3, Multi-Family Residential Suburban District.

Motion TO APPROVE by Adam Metcalfe; second by Jeremy Milling. **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) Completion of the Subdivision process (land disturbance for street construction allowed prior to recording of plat);
- 2) Revision of the site plan to provide the amount of open space per dwelling unit;
- 3) Compliance with all Engineering comments noted in this staff report;
- 4) Compliance with all Traffic Engineering comments noted in this staff report;
- 5) Compliance with all Urban Forestry comments noted in this staff report;

- 6) Compliance with all Fire Department comments noted in this staff report;
- 7) Submittal of a revised site plan to Planning Staff prior to issuance of permits; and
- 8) Full compliance with all other codes and ordinances.

PUBLIC HEARINGS

3. BOA-003706-2026

Case #: 6757/4509/4457
Location: 1725 Dauphin Island Parkway
Applicant/Agent: Advantage Sign Company (Amanda Murphy, Agent)
Council District: District 3
Proposal: Sign Variance to allow digital gas pricers within 300-feet of residentially zoned properties in a B-3, Community Business Suburban District; the Unified Development Code (UDC) does not allow digital gas pricers within 300-feet of residentially zoned properties in a B-3, Community Business Suburban District.

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

4. BOA-003709-2026

Case #: 6758
Location: 1150 Schillinger Road South
Applicant/Agent: Wrico Signs (Hayden Oliver)
Council District: District 6
Proposal: Sign Variance to allow two (2) freestanding signs and five (5) wall signs for a single business site in a B-3, Community Business Suburban District; the Unified Development Code (UDC) allows one (1) freestanding sign and two (2) wall signs for a single business site in a B-3, Community 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 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.

5. BOA-003712-2026

Case #: 6759/5693
Location: 3905 McGregor Court
Applicant/Agent: Carolyn Hasser Kirby
Council District: District 5
Proposal: Site Coverage Variance to allow more than 35% site coverage in an R-1, Single-Family Residential Suburban District; the Unified Development Code (UDC) limits properties to no more than 35% site coverage in an R-1, Single-Family Residential Suburban District Development District.

Motion TO APPROVE by Jeremy Milling; second by Trithenia Ferrell. **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) Revised site plan that is consistent with the property survey and illustrates the most accurate depiction of the existing and proposed structures on the site; and
- 2) Compliance with all other codes and ordinances.

6. BOA-003733-2026

Case #: 6760
Location: 1856 Old Shell Road
Applicant/Agent: Byrd Surveying
Council District: District 1
Proposal: Use, Residential Buffer, and Access & Maneuvering Variances to allow a real estate office with no residential buffer along a portion of the East property line and with non-compliant access and maneuvering to operate in an R-1, Single-Family Residential Urban District; the Unified Development Code (UDC) does not allow a real estate office to operate in an R-1, Single-Family Residential Urban District and requires full compliance with residential buffer requirements as well as the provision of compliant access and maneuvering areas.

Motion TO DENY by Jeremy Milling; second by William Guess. **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.

7. BOA-003738-2026

Case #: 6761/6701
Location: 2449 & 2453 Eslava Creek Parkway
Applicant/Agent: SMART Local 441 (George R. Cowles, Agent)
Council District: District 2
Proposal: Front Yard Setback and Parking Variances to allow construction of a new structure less than 25-feet from the front property line and reduced parking in a B-3, Community Business Suburban District; the Unified Development Code (UDC) requires full compliance with setbacks and parking requirements in a B-3, Community Business Suburban District.

Motion TO HOLDOVER by Adam Metcalfe; second by Gregory Morris. **Heldover to the July 13, 2026 meeting.**

After discussion, the Board heldover the application to the July 13, 2026 meeting to allow the application to be re-advertised to include an additional Variance request.

8. BOA-003739-2026

Case #: 6762/6713
Location: 5344 U.S. Highway 90 West
Applicant/Agent: Eastern Shore Signs
Council District: District 4
Proposal: Sign Variance to amend a previously approved Sign Variance to allow two (2) wall signs for a business on a multi-business site in a B-3, Community Business Suburban District; the Unified Development Code (UDC) limits each business to one (1) wall sign for a multi-business site in a B-3, Community Business Suburban District.

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

9. BOA-003740-2026

Case #: 6763
Location: 7288 Wynngate Way
Applicant/Agent: Superior Construction & Restoration Services
Council District: District 6
Proposal: Use Variance to allow a second dwelling unit on a single building site in an R-1, Single-Family Residential Suburban District; the Unified Development Code (UDC) does not allow a second dwelling unit on a single building site in an R-1, Single-Family Residential Suburban District.

Motion TO APPROVE by Adam Metcalfe; second by Trithenia Ferrell. **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) Revise the site plan to illustrate three (3) compliant off-street parking spaces;
- 2) Submittal of plans, including a floor plan demonstrating with all applicable codes and ordinances at the time of permitting;
- 3) A new deed for the property is recorded in Probate Court adding the provision that the second dwelling unit is not to be rented to a third party or other non-family member;
- 4) Provision of a copy of the newly recorded deed to Planning staff prior to the issuance of permits;
- 5) Obtain all necessary land disturbance and building permits; and
- 6) Full compliance with all municipal codes and ordinances.

10.BOA-003741-2026

Case #: 6764/5640/5506/4711/4661
Location: 6110 Grelot Road
Applicant/Agent: B.E. Brown & Co. Mortuary (John Vallas, Agent)
Council District: District 5
Proposal: Use Variance to amend a previously approved Use Variance to allow a funeral home to operate in an R-1, Single-Family Residential Suburban District; the Unified Development Code (UDC) does not allow a funeral home to operate in an R-1, Single-Family Residential 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 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) No cremation services are to be provided at the site;
- 2) Submittal of a revised site plan accurately depicting the “concrete patio” on the East of the structure as having been enclosed to be part of the building footprint;
- 3) Obtaining after-the-fact permits for the enclosure of the “concrete patio”; and
- 4) Full compliance with all municipal codes and ordinances.

OTHER BUSINESS

- **Adoption of the 2026-2027 deadline and meeting schedule**
Motion TO APPROVE by Jeremy Milling; second by Gregory Morris. **Adopted.**