



Mobile Board of Zoning Adjustment Results Agenda

March 10, 2025 – 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
X	Mr. Chris Carroll
X	Mr. Gregory Morris, Sr.
X	Mr. Taylor Atchison, Supernumerary
	Vacant
	Vacant, Supernumerary

Staff: Doug Anderson, Stephen Guthrie, Marie York, Bert Hoffman, Victoria Burch, Michelle French, Grace Toledo, Jonathan Ellzey

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

EXTENSIONS

1. [BOA-002940-2024](#)

Case #: 6591/2477
Location: 3008 Government Boulevard
Applicant/Agent: Air Engineers
Council District: District 4
Proposal: Front Yard Setback, Reduced Parking Ratio, Parking Surfacing, and Site Coverage Variances to allow a building addition within the 25-foot front yard setback, a reduced amount of parking spaces, gravel parking surfacing, and increased site coverage in a B-3, Community Business Suburban District; the Unified Development Code (UDC) does not allow structures within the 25-foot front yard setback, requires a compliant amount of parking spaces, asphalt or concrete for all required parking spaces, and limits site coverage to no more than 50% in a B-3, Community Business Suburban District.

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

After discussion, the Board approved the six (6) month extension.

PUBLIC HEARINGS

2. [BOA-003193-2025](#)

Case #:	6652
Location:	1408 Cody Road North
Applicant/Agent:	Elliott Land Developments, LLC (Amanda Crose, 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 Taylor Atchison. **Approved.**

At the meeting, the applicant requested the Board to approve 80% site coverage for the proposed lots, instead of 60% site coverage requested in the application.

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) No on-street parking allowed for the development;
- 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; and
- 7) Full compliance with all other codes and ordinances.

3. [BOA-SE-003197-2025](#)

Case #: 6653
Location: 250 St Louis Street
Applicant/Agent: River Bank & Trust (Doug Thomas, Agent)
Council District: District 2
Proposal: Special Exception approval to allow a bank with drive-thru services in a T-5.1 Sub-District of the Downtown Development District; the Unified Development Code (UDC) requires Special Exception approval to allow a bank with drive-thru services in a T-5.1 Sub-District of the Downtown Development District.

Motion TO APPROVE by Adam Metcalfe; second by William Guess.

Motion OPPOSED by Lewis Golden, Chris Carroll, Gregory Morris, and Taylor Atchison. **FAILED TO BE APPROVED.**

Jeremy Milling recused.

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

- A) The proposed use **is not** 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** 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 not** 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 not** 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 not** compatible with the character of the neighborhood within the same zoning district in which it is located.
- F) The proposed use **will** impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.
- G) The proposed use **will not** 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 not** designed to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads.
- I) The site **is not** designed to minimize the impact on storm water facilities.
- J) The use **will not** be adequately served by water and sanitary sewer services.

- K) The use **is** noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
- L) The use **will** be detrimental or endanger the public health, safety or general welfare.

4. BOA-003229-2025

Case #: 6655/5604
Location: 429 Lincoln Boulevard
Applicant/ Agent: Linda Ellerby
Council District: District 7
Proposal: Setback Variance to allow a reduced side street side yard setback for a new dwelling in an R-1, Single-Family Residential Suburban District; the Unified Development Code (UDC) requires a 25-foot setback for side street side yard property lines in an R-1, Single-Family Residential Suburban District.

Motion TO APPROVE by Taylor Atchison; 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.

The approval is subject to the following conditions:

- 1) Obtaining all necessary building permits; and
- 2) Full compliance with all municipal codes and ordinances.

5. BOA-003231-2025

Case #: 6657/6457/6125
Location: 2100 Airport Boulevard
Applicant/Agent: Cooper Restaurants, Inc. (Ben Cummings, Agent)
Council District: District 1
Proposal: Setback and Site Coverage Variances to allow a building addition to be less than 10-feet from the front property line, and for the structure to exceed 50% site coverage in a B-3, Community Business Urban District; the Unified Development Code (UDC) requires all structures to be a minimum of 10-feet from the front property line, and limits structures to a maximum of 50% site coverage in a B-3, Community Business Urban District.

Motion TO APPROVE by Adam Metcalfe; 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.

OTHER BUSINESS

- **Review of Minutes from the following Board of Adjustment meetings:**

January 10, 2022

February 7, 2022

March 7, 2022

April 4, 2022

December 5, 2022

Motion to approve by Adam Metcalfe. Second by Gregory Morris. **Approved.**