



Mobile Board of Zoning Adjustment Results Agenda

May 4, 2026 – 2:00 P.M.

ADMINISTRATIVE

Roll Call

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

Staff: Doug Anderson, Stephen Guthrie, Marie York, Bert Hoffman, Victoria Burch, Jonathan Ellzey

Order of Hearing: 2-3, 5-13, 4, 1

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.

Motion TO HOLDOVER by Adam Metcalfe; second by Taylor Atchison. **Heldover to June 1, 2026.**

After discussion, the Board heldover the application to the June 1, 2026 meeting at the request of the Legal Department.

EXTENSIONS

2. BOA-SE-003456-2025

Case #:	6702/6703/6653
Location:	250 St Louis Street
Applicant/Agent:	River Bank & Trust (Casey Pipes, 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 Taylor Atchison. **Approved.**

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

3. BOA-003457-2025

Case #:	6703/6702/6653
Location:	250 St Louis Street
Applicant/Agent:	River Bank & Trust (Casey Pipes, Agent)
Council District:	District 2
Proposal:	Curb Cut Variance to allow a curb cut to an “A” street at a corner building site where a secondary frontage is available in a T-5.1 Sub-District of the Downtown Development District; the Unified Development Code (UDC) prohibits curb cuts to an “A” street at a corner building site where a secondary frontage is available in a T-5.1 Sub-District of the Downtown Development District.

Motion TO APPROVE by Taylor Atchison; second by Lewis Golden. **Approved.**

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

PUBLIC HEARINGS

4. 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 HOLDOVER by Lewis Golden; second by Adam Metcalfe. **Heldover to June 1, 2026.**

After discussion, the Board heldover the application to the June 1, 2026 meeting to allow a representative to attend the meeting.

5. BOA-003704-2026

Case #:	6748/6715/6153
Location:	3244 Dauphin Street
Applicant/Agent:	Chick-fil-a, Inc. (CPH Consulting, LLC, Agent)
Council District:	District 1
Proposal:	Front Yard Setback, Tree Planting, and Dumpster Variances to allow a canopy to be located within the 25-foot front yard setback, with reduced tree plantings, and a dumpster located in the front yard in a B-3, Community Business Suburban District; the Unified Development Code (UDC) requires all structures exceeding three-feet (3') tall to be located more than 25-feet from the front property line, requires full compliance with tree planting regulations, and prohibits dumpsters from being located in a front yard in a B-3, Community Business Suburban District.

Motion TO APPROVE by Adam Metcalfe; second by Lewis Golden. **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) Recording of the Chick-fil-A Dauphin Street Subdivision in Probate Court, and submittal of copies of the recorded plat to Planning staff;
- 2) Obtaining all necessary building permits; and
- 3) Full compliance with all municipal codes and ordinances.

6. BOA-003705-2026

Case #: 6749
Location: 3975 Pinebrook Drive South
Applicant/Agent: 195 LLC
Council District: District 5
Proposal: Front Yard Setback Variance to allow a four-foot (4') tall solid brick wall within the front 25-foot setback in an R-1, Single-Family Residential Suburban District; the Unified Development Code (UDC) requires structures taller than three-feet (3') to be located outside of the 25-foot front yard setback in an R-1, Single-Family Residential Suburban District.

WITHDRAWN

7. BOA-003707-2026

Case #: 6750
Location: 6368 Cottage Hill Road
Applicant/Agent: Winnie's Play Café LLC
Council District: District 4
Proposal: Use Variance to allow an indoor recreation facility in a B-2, Neighborhood Business Suburban District; the Unified Development Code (UDC) does not allow an indoor recreation facility in a B-2, Neighborhood Business Suburban District.

Motion TO APPROVE by Taylor Atchison; second by Lewis Golden. **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) Obtain any/all required permits and inspections necessary to authorize use of the tenant space as an indoor recreational facility, in coordination with the Inspection Services and Permitting Departments;
- 2) Obtain Sign Permits from the Planning and Zoning Department for all installed signage; and
- 3) Fully comply with all other codes and ordinances.

8. BOA-SE-003708-2026

Case #:	6751/6492/3565
Location:	6051 Old Shell Road
Applicant/Agent:	CMG Engineers, Inc. (Gary D.E. Cowles, Agent)
Council District:	District 5
Proposal:	Special Exception approval to allow an outdoor recreation facility in a B-2, Neighborhood Business Suburban District; the Unified Development Code (UDC) requires Special Exception approval to allow an outdoor recreation facility in a B-2, Neighborhood Business Suburban District.

Motion TO APPROVE by William Guess; second by Trithenia Ferrell. **Approved.**

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

- A) The proposed use **is** 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 not** 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** 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** 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** compatible with the character of the neighborhood within the same zoning district in which it is located.
- F) The proposed use **will not** impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.
- G) The proposed use **will** 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** designed to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads.
- I) The site **is** designed to minimize the impact on storm water facilities.
- J) The use **will** be adequately served by water and sanitary sewer services.
- K) The use **is not** noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
- L) The use **will not** be detrimental or endanger the public health, safety or general welfare.

The approval is subject to the following conditions:

- 1) Provide a revised site plan clearly illustrating pedestrian access between the recreational facilities and the associated student center;
- 2) Hours of operation limited to between 9 AM and 8 PM;
- 3) Provision of a vegetative buffer along the South property line; and
- 4) Full compliance with all municipal codes and ordinances.

9. BOA-003710-2026

Case #:	6752
Location:	1028 and 1032 Newman Lane
Applicant/Agent:	Helmsing Leach, PC (Keri Coumanis, Agent)
Council District:	District 2
Proposal:	Access Variance to allow sub-standard access for two-way traffic at a cottage court development in an R-1, Single-Family Residential Suburban District; the Unified Development Code (UDC) requires 24-foot wide access for two-way traffic at a cottage court development in an R-1, Single-Family Residential Suburban District Development 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.

The approval is subject to the following conditions:

- 1) Revision of the site plan to either depict a compliant dumpster on the site plan, or placement of a note stating that curbside pickup will be utilized;
- 2) Obtain all necessary land disturbance and building permits; and
- 3) Full compliance with all municipal codes and ordinances.

10.BOA-003711-2026

Case #: 6753/6365/6295/6006/5953
Location: 103 North Warren Street
Applicant/Agent: Don Williams, Agent
Council District: District 2
Proposal: Site Variance to allow 877 square feet of forecourt area in an SD-WH, Special District – Warehousing of the Downtown Development District; the Unified Development Code (UDC) limits the maximum size of pedestrian forecourt frontages to 600 square feet in an SD-WH, Special District – Warehousing of the Downtown Development District.

Motion TO APPROVE by Lewis Golden; second by Taylor Atchison. **Approved.**
William Guess opposed.

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.

11.BOA-003713-2026

Case #: 6754
Location: 235 Park Avenue South
Applicant/Agent: Katie Parker, Agent
Council District: District 6
Proposal: Use Variance to allow the construction of a pole barn without a primary dwelling in an R-1, Single-Family Residential Suburban District; the Unified Development Code (UDC) requires a primary dwelling prior to the allowance of accessory structures in an R-1, Single Family Residential Suburban 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.

The approval is subject to the following conditions:

- 1) Obtaining a building permit for the proposed structure; and
- 2) Full compliance with all municipal codes and ordinances.

12.BOA-003715-2026

Case #: 6755/6691/6331/5764
Location: 3201 Airport Boulevard
Applicant/Agent: Kimley-Horn and Associates, Inc.
Council District: District 1
Proposal: Sign Variance to amend a previously approved Sign Variance to allow seven (7) new freestanding signs, each less than one (1) square foot, for a single business site in a B-3, Community Business Suburban District; the Unified Development Code (UDC) limits a single business site in a B-3, Community Business Suburban District to a single freestanding sign.

Motion TO APPROVE by Adam Metcalfe; second by Lewis Golden. **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 of all necessary sign permits; and
- 2) Full compliance with all municipal codes and ordinances.

13.BOA-003716-2026

Case #: 6756
Location: 1645 Dawes Road
Applicant/Agent: Jared Oates
Council District: District 6
Proposal: Setback Variance to allow an addition to an existing dwelling within the front 45-foot setback in an R-1, Single Family Residential Suburban District; the Unified Development Code (UDC) does not allow structures within recorded front setbacks in an R-1, Single Family Residential Suburban District.

Motion TO APPROVE by Taylor Atchison; second by Lewis Golden. **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) Obtain all required building permits; and
- 2) Full compliance with all other applicable codes and ordinances.

OTHER BUSINESS
