



# Mobile Board of Zoning Adjustment **Results Agenda**

November 3, 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. William Petway                 |
| X | Mr. Gregory Morris, Sr.            |
| X | Ms. Trithenia Ferrell              |
|   | Mr. Taylor Atchison, Supernumerary |
| X | Mr. Allen Williams, Supernumerary  |

Staff: Emma Hope, Stephen Guthrie, Marie York, Bert Hoffman, Victoria Burch, Grace Toledo, Jonathan Ellzey

MOTION TO ADOPT THE AGENDA BY GREGORY MORRIS; SECOND BY LEWIS GOLDEN.

## HOLDOVER

---

### 1. BOA-003446-2025

**Case #:** 6699/4585/4969  
**Location:** 6710 Old Shell Road  
**Applicant/Agent:** American Tower Corporation (Amanda Novas, Agent)  
**Council District:** District 7  
**Proposal:** Height and Setback Variances to amend a previously approved variance to allow a 172.1-foot tall telecommunications tower with reduced setbacks in a B-2, Neighborhood Business Suburban District; the Unified Development Code (UDC) does not allow structures taller than 45-feet in a B-2, Neighborhood Business Suburban District, and requires telecommunications towers to be setback from property lines a distance equal to their height.

Motion TO HOLDOVER by Jeremy Milling; second by Lewis Golden. **Heldover to December 1, 2025.**

After discussion, the Board decided to holdover the application to the December 1<sup>st</sup> meeting to allow staff to re-advertise the application to include a Residential Buffer Variance request.

## EXTENSIONS

---

### 2. BOA-003127-2024

**Case #:** 6631/563/375  
**Location:** 1720 Spring Hill Avenue  
**Applicant/Agent:** Infirmary Health System, Inc. (Victor Sign Company, LLC, Agent)  
**Council District:** District 1  
**Proposal:** Sign Variance to allow three (3) monument signs for a multi-tenant site with less than 1,201 linear feet of street frontage in a B-1, Buffer Business Urban District; the Unified Development Code (UDC) requires multi-tenant sites to have at least 1,201 linear feet of street frontage to be allowed three (3) monument signs in a B-1, Buffer Business Urban District.

Motion TO APPROVE by Gregory Morris; second by Trithenia Ferrell. **Approved.**

After discussion, the Board approved a twelve (12) month extension.

## PUBLIC HEARINGS

---

### 3. BOA-003472-2025

**Case #:** 6706/2719/1908/1571  
**Location:** 4125 Moffett Road  
**Applicant/Agent:** Wrico Signs (Jennifer Jackson, Agent)  
**Council District:** District 7  
**Proposal:** Sign Variance to allow one (1) freestanding on-premise sign, one (1) freestanding off-premise sign and twelve (12) wall signs in a B-3, Community Business Suburban District; the Unified Development Code (UDC) limits single tenant sites in a B-3, Community Business Suburban District to no more than one (1) freestanding sign and no more than two (2) wall signs, and requires all signs to be located on the site for which they contain advertising material.

Motion TO APPROVE by Lewis Golden; second by Jeremy Milling. **Approved.**

After discussion, the Board determined the following findings of fact for approval of both proposed freestanding signs and three (3) wall signs of the applicant's choosing:

- 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.

If approved, the following conditions should apply:

- 1) Acquisition of the appropriate permit(s) for each sign, prior to their construction or placement on the property.

#### 4. BOA-003480-2025

**Case #:** 6707/1959  
**Location:** 1615 Dr. Martin Luther King Jr. Avenue  
**Applicant/Agent:** Mercy Chepengna (Dr. Sharon Ingram, Agent)  
**Council District:** District 2  
**Proposal:** Use Variance to allow a convenience store in an R-1, Single-Family Residential Urban District; the Unified Development Code (UDC) does not allow a convenience store in an R-1, Single-Family Residential Urban 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) Revision of the site plan to demonstrate compliance with the accessibility standards of the International Building Code;
- 2) Revision of the site plan to illustrate all existing wheel stops, or to identify any curbing that prevents vehicle overhang beyond the parking area;
- 3) Revision of the site plan to depict a dumpster with a note stating it will comply with the enclosure and placement standards of Article 3, Section 64-3-13.A of the UDC, or provision of a note on the revised site plan stating curbside waste services will be utilized;
- 4) Revision of the site plan to illustrate a six (6)-foot-tall privacy fence where the property adjoins residentially used property; and
- 5) Full compliance with all other codes and ordinances.

## 5. BOA-003488-2025

**Case #:** 6708  
**Location:** 4100 Ridgelawn Drive  
**Applicant/Agent:** Frank Lott  
**Council District:** District 7  
**Proposal:** Front Yard Setback Variance to allow a six-foot, six-inch (6' 6") tall brick wall within the 25-foot minimum front yard setback in an R-1, Single-Family Residential 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 in an R-1, Single-Family Residential Suburban District.

Motion TO APPROVE by Jeremy Milling; 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) Revision of the site plan to illustrate all property lines; and
- 2) Acquisition of all necessary permits for the construction of the wall.

## 6. BOA-003490-2025

**Case #:** 6709/6042/6031/5764  
**Location:** 3201 Airport Boulevard  
**Applicant/Agent:** Wrico Signs (Baldwin Barkerding, Agent)  
**Council District:** District 5  
**Proposal:** Sign Variance to allow two (2) wall signs for a tenant on a multi-tenant business site in a B-3, Community Business Suburban District; the Unified Development Code (UDC) limits tenants on a multi-tenant business site to a single wall sign in a B-3, Community Business Suburban District.

Motion TO APPROVE by Gregory Morris; 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.

**7. BOA-003491-2025**

**Case #:** 6710  
**Location:** 5201 Washington Boulevard  
**Applicant/Agent:** Wrico Signs (Baldwin Barkerding, Agent)  
**Council District:** District 4  
**Proposal:** Sign Variance to allow an electronic message center within 300-feet of residentially zoned properties in an R-1, Single-Family Residential Suburban District; the Unified Development Code (UDC) does not allow an electronic message center within 300-feet of residentially zoned properties in an R-1, Single-Family Residential Suburban District.

Motion TO APPROVE by Adam Metcalfe; second by Lewis Golden. **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.

The approval is subject to the following conditions:

- 1) The electronic message center shall be turned off from sunset to sunrise;
- 2) The applicant shall obtain a Sign Permit from the Planning and Zoning Department;
- 3) The applicant shall obtain an Electrical Permit from the Permitting Department; and,
- 4) The sign shall comply with all applicable provisions of the Unified Development Code and all other relevant codes and ordinances.

**8. BOA-SE-003495-2025**

**Case #:** 6711  
**Location:** 7675 Cottage Hill Road  
**Applicant/Agent:** Element 3 Engineering, LLC (Patrick Tolbert, Agent)  
**Council District:** District 6  
**Proposal:** Special Exception approval to allow a business college/technical school in a B-1, Buffer Business Suburban District; the Unified Development Code (UDC) requires Special Exception approval to allow a business college/technical school in a B-1, Buffer Business Suburban District.

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

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) Revision of the site plan to provide the number of classrooms or offices, and the size in square feet of any group seating areas;
- 2) Revision of the site plan to depict a compliant residential buffer along the South and East property lines;
- 3) The business is limited to the structure on the West of the site;
- 4) The business is limited to the following hours of operation: Monday to Friday, from 8:00 AM to 5:00 PM;

- 5) Any increase in the number of classrooms or group seating areas will require a new Special Exception application; and
- 6) Full compliance with all municipal codes and ordinances.

**9. BOA-003497-2025**

**Case #:** 6712/6643/6468  
**Location:** 4519 Cypress Business Park Drive  
**Applicant/Agent:** Kimmy Care, LLC (Kimberly H. Rea, Agent)  
**Council District:** District 4  
**Proposal:** Use Variance to amend a previously approved Use Variance to allow operation of a daycare in a B-5, Office-Distribution District; the Unified Development Code (UDC) does not allow the operation of a daycare in a B-5, Office-Distribution 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.

The approval is subject to the following conditions:

- 1) Revision of the landscaping calculations to be based upon 15% of the total site to be landscaped, with 60% of the total area landscaping to be along the street frontage;
- 2) Revision of the tree planting calculations to delete perimeter tree planting requirements;
- 3) Retention of the note on the site plan stating that curbside pickup will be used;
- 4) Submittal of a revised site plan to Planning & Zoning staff prior to the submission for land disturbance or building permits; and
- 5) Full compliance with all municipal codes and ordinances.

**10. BOA-003498-2025**

**Case #:** 6713  
**Location:** 5344 U.S. Highway 90 West  
**Applicant/Agent:** Victor Sign Company, LLC  
**Council District:** District 4  
**Proposal:** Sign Variance to allow two (2) wall signs for a tenant on a multi-tenant business site in a B-3, Community Business Suburban District; the Unified Development Code (UDC) limits tenants on a multi-tenant business site to a single wall sign in a B-3, Community Business Suburban District.

Motion TO APPROVE by Jeremy Milling; second by Gregory Morris. **Approved.**  
Adam Metcalfe recused.  
Lewis Golden 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-003499-2025

**Case #:** 6714  
**Location:** 6900 Cobblestone Way North  
**Applicant/Agent:** Hometown Contractors, Inc. (Kristyn Simmons, Agent)  
**Council District:** District 7  
**Proposal:** Setback Variance to allow construction of a screened porch within the 25-foot side street side yard setback in an R-3, Multi-Family Residential Suburban District; The Unified Development Code (UDC) requires all structures exceeding three-feet (3') tall to be located more than 25-feet from the side street side yard property line in an R-3, Multi-Family Residential Suburban District.

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

Based on the requested Variance application and documentation submitted, if the Board considers approval of the request, the following findings of fact must be presented:

- 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.

If the Board considers approving the variance request, it could be subject to the following condition(s):

- 1) Acquisition of all required permits and inspections for the screened porch; and
- 2) Compliance with all other codes and ordinances.

## 12.BOA-003503-2025

**Case #:** 6715  
**Location:** 3244 Dauphin Street  
**Applicant/Agent:** CPH Consulting, LLC (Jason Toole, P.E., 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.

After discussion, the applicant withdrew their application.

## OTHER BUSINESS

---

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

April 7, 2025  
May 5, 2025  
June 2, 2025

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