



Mobile Board of Zoning Adjustment **Results Agenda**

October 6, 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.
	Ms. Trithenia Ferrell
X	Mr. Taylor Atchison, Supernumerary
X	Mr. Allen Williams, Supernumerary

Staff: Stephen Guthrie, Marie York, Bert Hoffman, Victoria Burch, George Davis, Jonathan Ellzey

MOTION TO ADOPT THE AGENDA BY GREGORY MORRIS; SECOND BY ADAM METCALFE.

EXTENSIONS

1. BOA-003190-2025

Case #: 6649
Location: 5133 Cottage Hill Road
Applicant/Agent: Thomas Sign & Awning Co. (Alvin Ramos, Agent)
Council District: District 4
Proposal: Sign Variance to allow two (2) freestanding signs and three (3) wall signs for a single tenant site in a B-2, Neighborhood Business Suburban District; the Unified Development Code (UDC) limits single tenant sites in a B-2, Neighborhood Business Suburban District to no more than one (1) freestanding sign and no more than two (2) wall signs.

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

After discussion, the Board approved a 90 day extension.

2. BOA-003306-2025

Case #: 6669
Location: 5399 U.S. Highway 90 West
Applicant/Agent: Jacob Franklin, Kimley-Horn & Associates, Inc.
Council District: District 4
Proposal: Setback Variance to allow a dumpster located within the front 25-foot setback in a B-3, Community Business Suburban District; the Unified Development Code (UDC) does not allow structures exceeding three-feet (3') in height to be located within the front 25-foot setback in a B-3, Community Business Suburban District.

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

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

PUBLIC HEARINGS

3. BOA-003435-2025

Case #: 6698
Location: 7120 Airport Boulevard
Applicant/Agent: PCDA Architecture
Council District: District 7
Proposal: Setback Variance to allow construction of a new structure less than 25-feet from the front property line in a B-3, Community Business Suburban District; the Unified Development Code (UDC) requires all structures to be a minimum of 25-feet away from a front property line in a B-3, Community Business Suburban District.

Motion TO APPROVE by Gregory Morris; second by Chris Carroll. **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.

4. 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 Gregory Morris/Adam Metcalfe. **Heldover to November 3, 2025.**

After discussion, the Board decided to holdover the application to the November 3rd meeting to allow the applicant to have a representative present.

5. BOA-SE-003449-2025

Case #: 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 APPROVE by Gregory Morris; second by Chris Carroll. **Failed to be approved.**
William Guess, Jeremy Milling, Taylor Atchison, Lewis Golden, Adam Metcalfe opposed.
Allen Williams 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 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** have more adverse effects on health, safety or comfort of persons living or working in the neighborhood, or will be 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.

6. BOA-003455-2025

Case #: 6701
Location: 2449 and 2453 Eslava Creek Parkway
Applicant/Agent: SMART Local 441 (George R. Cowles, Agent)
Council District: District 5
Proposal: Front Yard Setback Variance to allow construction of a new structure less than 25-feet from the front property line in a B-3, Community Business Suburban District; the Unified Development Code (UDC) requires all structures to be a minimum of 25-feet away from a front property line in a B-3, Community Business 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. Compliance with the applicable development provisions of Article 3 of the UDC;
2. Compliance with all Engineering Comments noted in this staff report;
3. Compliance with all Traffic Engineering comments noted in this staff report;
4. Compliance with all Urban Forestry comments noted in this staff report;
5. Compliance with all Fire Department comments noted in this staff report; and,
6. Full compliance with all other municipal codes and ordinances.

****Allen Williams left the meeting.****

7. BOA-SE-003456-2025

Case #: 6702/6653
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 Taylor Atchison; second by Lewis Golden. **Approved.**
Jeremy Milling 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. The bank be three (3) stories tall with a masonry façade, as proposed;
- 2. Submittal of a complete CRC application packet for review;
- 3. Either design the site so that it will comply with the Downtown Development District regulations, or obtain necessary variance approvals; and
- 4. Full compliance with all municipal codes and ordinances.

8. BOA-003457-2025

Case #: 6703/6653
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.**
 Jeremy Milling 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.

The approval is subject to the following conditions:

1. Reduce the curb cut to St. Louis Street to 12-foot wide;
2. Submittal of a complete CRC application packet for review;
3. Either design the site so that it will comply with the Downtown Development District regulations, or obtain necessary variance approvals; and
4. Full compliance with all municipal codes and ordinances.

****Adam Metcalfe left the meeting.****

9. BOA-003459-2025

Case #: 6704
Location: 706 Monroe Street
Applicant/Agent: Lucy Barr Designs
Council District: District 2
Proposal: Rear Yard Setback Variance to allow an addition to an existing residence to be less than 20-feet from the rear property line in a T-3 Sub-District of the Downtown Development District; the Unified Development Code (UDC) requires structures to have a minimum 20-foot setback from the rear property line in a T-3 Sub-District of the Downtown Development District.

Motion TO APPROVE by Chris Carroll; 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. Obtain a Certificate of Appropriateness;
2. Obtain all necessary permits; and
3. Full compliance with all municipal codes and ordinances.

10.BOA-003453-2025

Case #: 6705/6541
Location: 3366 Cottage Hill Road
Applicant/Agent: Dennis Langan
Council District: District 5
Proposal: Off-Premise Sign Variance to allow an off-premise sign to be erected in a B-3, Community Business Suburban District; the Unified Development Code (UDC) requires all signs to be located on the site they contain advertising material for in a B-3, Community Business Suburban District.

Motion TO DENY by Lewis Golden; second by Jeremy Milling. **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.

OTHER BUSINESS

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

January 6, 2025
February 3, 2025
March 10, 2025

Motion to approve by Jeremy Milling. Second by Lewis Golden. **Approved.**