



Mobile Board of Zoning Adjustment **Results Agenda**

September 14, 2026 – 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
	Mr. William Petway
X	Mr. Gregory Morris, Sr.
X	Ms. Trithenia Ferrell
X	Mr. Taylor Atchison, Supernumerary
X	Mr. Allen Williams, Supernumerary

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

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

HOLDOVERS

1. BOA-003810-2026

Case #: 6775/4708/2160/676/437
Location: 1308 Old Shell Road and 109 North Ann Street
Applicant/Agent: Evan Burdette, Old Shell & Ann, LLC
Council District: District 2
Proposal: Lot Size and Side Yard Setback Variances to allow sub-standard size lots with no side yard setback in an R-1, Single-Family Residential Urban District; the Zoning Ordinance requires lots to be a minimum of 6,000 square feet with a minimum five-foot (5') side yard setback in an R-1, Single-Family Residential Urban District.

Motion TO APPROVE by Adam Metcalfe; second by Taylor Atchison. **Approved.**
Lewis Golden 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) Completion of the Subdivision process;
- 2) Provision of gutters and downspouts; and
- 3) Compliance with all other codes and ordinances.

EXTENSIONS

****Trithenia Ferrell arrived****

2. BOA-SE-002598-2023

Case #: 6537/6205
Location: 2600 Burden Lane
Applicant / Agent: McDowell Knight (Stephen Harvey, Agent)
Council District: District 1
Proposal: Special Exception to allow railroad facilities in an I-1, Light Industry District; the Unified Development Code (UDC) requires a Special Exception to allow railroad facilities in an I-1, Light Industry District.

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

After discussion, the Board approved a one (1) year extension.

3. BOA-003403-2025

Case #: 6689
Location: 401 St. Louis Street
Applicant/Agent: RGH (Stephen Howle, Agent)
Council District: District 2
Proposal: Curb Cut Number, Building Orientation, Signage, Material, and Frontage Type Variances to allow three (3) curb cuts to North Franklin Street, to allow the proposed building to utilize a "B" street as the primary frontage, to allow an address number exceeding one (1) square foot, to allow non-compliant materials for garage doors, and to have non-compliant frontage types in a SD-WH sub-district in the Downtown Development District; the Unified Development Code (UDC) limits

developments to one (1) curb cut per street frontage, requires developments to use an “A” street as the primary frontage, limits address numbers to a maximum of one (1) square foot, requires all building materials to be compliant, and requires one (1) of seven (7) frontage types in a SD-WH 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.

4. BOA-003404-2025

Case #: 6690
Location: Southeast corner of St. Louis Street and North Claiborne Street
Applicant/Agent: RGH (Stephen Howle, Agent)
Council District: District 2
Proposal: Signage and Frontage Type Variances to allow two (2) upper building signs and a non-compliant frontage type in a T-5.1 sub-district in the Downtown Development District; the Unified Development Code (UDC) limits buildings to one (1) upper building sign and requires one (1) of six (6) frontage types in a T-5.1 sub-district in the Downtown Development District.

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

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

PUBLIC HEARINGS

5. BOA-003802-2026

Case #: 6776
Location: 2260 Pesnell Court
Applicant/Agent: Brookside Senior Living Community
Council District: District 4
Proposal: Use Variance to allow offices in an R-3, Multi-Family Residential Suburban District; the Unified Development Code (UDC) requires a minimum of a B-1, Buffer Business Suburban District to allow offices.

A Motion TO APPROVE was made by Gregory Morris; 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) Obtain all necessary permits for the change of occupancy;
- 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 municipal codes and ordinances.

6. BOA-003806-2026

Case #: 6777/6655/5604
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 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;
- 2) Obtaining all necessary building permits; and
- 3) Full compliance with all municipal codes and ordinances.

7. BOA-SE-003821-2026

Case #: 6778/6663
Location: 1501 Spring Hill Avenue
Applicant/Agent: Derica Smith
Council District: District 2
Proposal: Special Exception approval to allow a daycare in a B-1, Buffer Business Urban District; the Unified Development Code (UDC) requires Special Exception approval to allow a daycare in a B-1, Buffer Business Urban District.

Motion TO APPROVE by Jeremy Milling; second by Gregory Morris. **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) Revise the site plan to show the four (4) parking spaces at the rear of the site are a minimum of nine-feet (9') wide and eighteen-feet (18') long as required by the UDC;
- 2) Revise the site plan to depict a compliant residential buffer along the South property line;
- 3) Submittal of a revised site plan (.pdf) to planning@cityofmobile.gov prior to the issuance of permits; and
- 4) Full compliance with all municipal codes and ordinances.

8. BOA-003839-2026

Case #: 6779
Location: 3680 Dauphin Street
Applicant/Agent: Knight Sign Industries (Tom Winters, Agent)
Council District: District 5
Proposal: Sign Variance to allow three (3) wall signs and one (1) freestanding sign for a single business site in a B-2, Neighborhood Business Suburban District; the Unified Development Code (UDC) allows a maximum of two (2) wall signs and one (1) freestanding sign for a single business site in a B-2, Neighborhood 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.

9. BOA-003848-2026

Case #: 6780
Location: West side of Marston Lane, 100'± South of Bexley Lane
Applicant/Agent: 10 Marton Lane, LLC
Council District: District 5
Proposal: Site Coverage and Front Yard Setback Variances to allow construction of a new dwelling with more than 35% site coverage, and less than a 25-foot front yard setback in an R-1, Single-Family Residential Suburban District; the Unified Development Code (UDC) limits dwellings to no larger than 35% site coverage, and requires a 25-foot front yard setback in an R-1, Single-Family Residential Suburban District.

Motion TO APPROVE by Jeremy Milling; second by Allen Williams. **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.

10.BOA-003853-2026

Case #: 6781
Location: 6517 Vanderbilt Drive
Applicant/Agent: Royal Wilson
Council District: District 4
Proposal: Use Variance to allow construction of a new single-family residence in an I-1, Light Industry District; the Unified Development Code (UDC) does not allow new single-family residences in an I-1, Light Industry District.

Motion TO APPROVE by Gregory Morris; 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) Completion of the subdivision process prior to final Zoning approval of any associated development permits.

11.BOA-003854-2026

Case #: 6782
Location: 1600 Michigan Avenue
Applicant/Agent: Geographic Consulting, LLC (Catherine Clark, Agent)
Council District: District 3
Proposal: Setback and Landscape Area Variances to allow construction of new multi-family structures less than 25-feet from front property lines with reduced landscape area in an R-3, Multi-Family Residential Suburban District; the Unified Development Code (UDC) requires all structures to be a minimum of 25-feet from front property lines and full compliance with landscape area requirements in an R-3, Multi-Family Residential Suburban District

Motion TO APPROVE by Gregory Morris; 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) Compliance with the applicable development provisions of Article 3 of the UDC;
- 2) Compliance with all Traffic Engineering comments noted in the staff report;
- 3) Compliance with all Urban Forestry comments noted in the staff report;
- 4) Compliance with all Fire Department comments noted in the staff report; and
- 5) Full compliance with all other municipal codes and ordinances.

12.BOA-003857-2026

Case #: 6783/6598/6594/6510
Location: 263 Dauphin Street
Applicant/Agent: Downtown Mobile Alliance (Ellis Foster, Agent)
Council District: District 2
Proposal: Bulk/Site Variance to allow metal siding as an exterior finish, a non-compliant frontage type with reduced transparency, and security gates in a T-5.2 sub-district of the Downtown Development District; the Unified Development Code (UDC) does not allow metal siding as an exterior finish, requires a Shop Front frontage type at this location, requires a minimum glazed display window area of 50% of the ground floor shop front area (transparency), does not allow security gates to be visible from the street, and does not allow fences in the Shop Front frontage type in a T-5.2 sub-district of the Downtown Development 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) Exterior façade to be built in accordance with the black and white drawings submitted with the application;
- 2) Submittal of CRC and ARB applications for review of the signage for the subject site; and
- 3) Either submittal of a Sign Variance application or altering the signs on the subject site so that they comply with DDD regulations.

OTHER BUSINESS

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

January 5, 2026	April 6, 2026	July 13, 2026
February 2, 2026	May 4, 2026	
March 2, 2026	June 1, 2026	

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

- **REMINDER!!** Starting with the October 1, 2026 meeting, Board of Zoning Adjustment meetings will be held on Thursday, NOT Monday.