



THE CITY OF MOBILE, ALABAMA
BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

June 2, 2026

Amanda Cruse
Elliott Land Developments LLC
1402 Pass Road
Gulfport Mississippi 39501

Re: 6747/6652
BOA-003700-2026
1408 Cody Road North
Elliott Land Developments, LLC (Jay Broughton, Agent)
District 7

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.

Dear Applicant(s) / Property owner(s):

At its meeting on June 1, 2026, the Board of Zoning Adjustment considered the above referenced 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) Revision of the site plan to provide the amount of open space per dwelling unit;
- 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;

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- 6) Compliance with all Fire Department comments noted in this staff report;
- 7) Submittal of a revised site plan to Planning Staff prior to issuance of permits; and
- 8) Full compliance with all other codes and ordinances.

No permit, license or certification can be issued until the 15-day appeal period has expired and no appeal has been made. If a permit/license has not been obtained on or before December 1, 2026, the variance will expire and become null and void.

Any party aggrieved by this decision may, within fifteen days of the date of the decision, appeal to the Circuit Court of Mobile County by filing a written notice of appeal, specifying the decision from which the appeal is taken. Notice of the appeal, as well as a date stamped copy of the appeal filed in Circuit Court must be filed with this Board within the fifteen-day appeal period.

For further assistance, please call 251-208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman



By: _____

Stephen Guthrie
Deputy Director of Planning and Zoning