



THE CITY OF MOBILE, ALABAMA
BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

October 5, 2026

Mark S. Pipper
Dale Partners, PA
161 Lameuse St.
Biloxi, MS 39530

Re: 6790
BOA-003895-2026
250 St. Francis Street
Mark S. Pipper
District 2

Transparency, Awning, Curb Cut, and Dumpster Maneuvering Variances to allow reduced transparency along St. Michael Street, non-compliant awnings, a curb cut exceeding 25-feet wide, and maneuvering area for a dumpster in the right-of-way in a T-5.2 sub-district of the Downtown Development District (DDD); the Unified Development Code (UDC) requires structures to have a minimum of 20% transparency along all public street frontages, awnings must extend a minimum of six-feet (6') and span a minimum of 80% of the building frontage without gaps, limit curb cuts to a maximum 25-foot width, and require all maneuvering areas for dumpsters to be on private property in an SD-WH sub-district of the Downtown Development District (DDD).

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

At its meeting on October 1, 2026, the Board of Zoning Adjustment considered the above referenced application.

After discussion, the Board determined the following findings of fact for approval, for all requested Variances, with the exception of the curb cut width:

- 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 Variances should be subject to the following conditions:

- 1) Either submittal of a non-conforming affidavit for the freestanding parking lot or approval of a Use Variance;
- 2) The materials of the dumpster enclosure should be revised to match those of the primary structure on the site;

- 3) Submittal of DDD Code Review and ARB applications for review of the signage for the subject site;
and
- 4) Full compliance with all municipal 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 April 1, 2027, the variance will expire and become null and void.

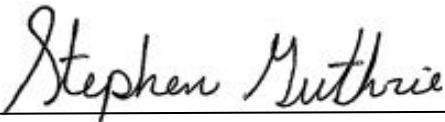
Any party aggrieved by this decision may, within fifteen days of the date of the decision, appeal to the Circuit Court of Mobile County by filing a written notice of appeal, specifying the decision from which the appeal is taken. Notice of the appeal, as well as a date stamped copy of the appeal filed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