

**BOARD OF ZONING ADJUSTMENT MINUTES**  
**MEETING OF NOVEMBER 5, 2012 - 2:00 P.M.**  
**MOBILE GOVERNMENT PLAZA, MULTI-PURPOSE ROOM**

**MEMBERS PRESENT**

William Guess, Chairman  
Sanford Davis  
Adam Metcalfe  
Jeremy Milling  
\*supernumerary member

**MEMBERS ABSENT**

Vernon Coleman  
Russell Reilly\*  
J. Tyler Turner\*

**STAFF PRESENT**

Frank Palombo, Planner II  
Caldwell Whistler, Planner I  
Tchernavia Yow, Secretary I

**OTHERS PRESENT**

John Lawler, City Attorney  
George Davis, City Engineering  
Butch Ladner, Traffic Engineering  
Gerard McCants, Urban Forestry  
DC Billy Roach, Fire & Rescue

The notation *motion carried unanimously* indicates a consensus, with the Chairman voting.

**CALL TO ORDER:**

Chairman Guess advised all in attendance as to the policies and procedures of the Board of Zoning Adjustment. He noted the number of members present constituted a quorum. He advised that it would require all four members present to vote in the affirmative to approve any variance and then called the meeting to order.

**APPROVAL OF MINUTES:**

A motion was made by Mr. Metcalfe, with second by Mr. Davis, to approve the minutes from the November 7, 2011 and December 5, 2011 meetings.

The motion carried unanimously.

**PUBLIC HEARINGS:**

**#5788/5587/5410**

**(Case #ZON2012-02236)**

**Jerry Pettaway**

1250 Arlington Street

(Northwest corner of Arlington Street and Bascomb Street).

**Use, Setback, Parking Ratio, Maneuvering, and Tree Planting and Landscaping Area Variances to amend a previously approved Use, Maneuvering, Tree Planting and Landscaping Area Variance to allow a tire store with a 4' rear setback off residentially zoned property, 7 parking spaces with 20' maneuvering area, and no tree plantings or landscaping in an R-1, Single-Family Residential District; the Zoning Ordinance requires a**

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**minimum of B-2, Neighborhood Business District, for a tire store, with a 10' rear setback off residentially zoned property, with 12 parking spaces having a 24' maneuvering area, 12% of the site being landscaped with 60% of that along street frontages, six frontage trees, eight perimeter trees, and one parking area tree.**

The Chair announced the matter, advising it had been recommended for approval. He advised the applicant should address the Board regarding the subject at that time.

Don Williams, Williams Engineering, 6300 Piccadilly Square Drive, Mobile, AL spoke on behalf of the applicant and made the following points in support of the application:

The Chair asked if there were any more questions from the Board. Hearing none, he asked if there were those present in opposition to the matter and opened the floor to their comments. Hearing none, he opened the matter for a motion.

A motion was made by Mr. Metcalfe, with second by Mr. Davis, to holdover the above referenced request to revise the site plan to a more compliant status.

**#5789/4880/4373**

**(Case #ZON2012-02466)**

**Victor Sign Company (Orin Robinson, Agent)**

3025 Government Boulevard

(Southeast corner of Government Boulevard and McVay Drive North).

**Sign Variance to amend a previously approved Sign Variance to allow two freestanding signs on a single-tenant commercial site in a B-3, Community Business District; the Zoning Ordinance allows only one freestanding sign on a single-tenant commercial site in a B-3, Community Business District.**

The Chair announced the matter, advising it had been recommended for holdover. He advised the applicant should address the Board regarding the subject at that time.

Orin Robinson, Victor Sign Company, 5000 Whitworth Rd, Mobile, AL 36619, Mobile, AL spoke on behalf of the applicant and stated that he was ok with the recommended holdover.

The Chair asked if there were any more questions from the Board. Hearing none, he asked if there were those present in opposition to the matter and opened the floor to their comments. Hearing none, he opened the matter for a motion.

A motion was made by Mr. Davis, with second by Mr. Metcalfe, to holdover the above referenced request to allow three freestanding signs on a single-tenant commercial site, with new mailing notification labels and a revised request description submitted to the Planning Section of Urban Development by November 6, 2012.

**#5790/4193**

**(Case #ZON2012-02479)**

**Joe Walvis (M. Don Williams, Agent)**

4114 Moffett Road

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(Northeast corner of Moffett Road and Wolf Ridge Road).

**Surface Variance to allow vehicle and boat parking and storage on a grass surface in a B-3, Community Business District; the Zoning ordinance requires vehicle and boat parking and storage surfaces to be paved with asphalt, concrete, or an approved alternative paving surface in a B-3, Community Business District.**

The Chair announced the matter, advising it had been recommended for denial. He advised the applicant should address the Board regarding the subject at that time.

The Chair asked if there were any more questions from the Board. Hearing none, he asked if there were those present in opposition to the matter and opened the floor to their comments. Hearing none, he opened the matter for a motion.

A motion was made by Mr. Milling, with second by Mr. Davis, to deny the above referenced request.

**#5791**

**(Case #ZON2012-02480)**

**Richardson, Inc. (M. Don Williams, Agent)**

442 Azalea Road

(West side of Azalea Road, 195'± South of Springdale Road).

**Use Variance to allow light warehousing in an LB-2, Limited Neighborhood Business District; the Zoning Ordinance requires a minimum B-3, Community Business District, for light warehousing.**

The Chair announced the matter, advising it had been recommended for denial. He advised the applicant should address the Board regarding the subject at that time.

Don Williams, Williams Engineering, 6300 Piccadilly Square Drive, Mobile, AL spoke on behalf of the applicant and made the following points in support of the application:

- Building was previously a florist, and burned about 12 years ago and has been vacant since.
- The building was purchased primarily for their administrative offices. It is a 6,000 square foot building.
- They only need about 2,000 square feet of office space for the administrative staff.
- Approximately 4,000 square feet will be used for storage of the car wash parts and equipment, as well to store 55-gallon drums of soap.
- There will be no warehouse employees or repairmen based out of the location. It will not even be air conditioned.
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The Chair asked if there were any more questions from the Board. Hearing none, he asked if there were those present in opposition to the matter and opened the floor to their comments. Hearing none, he opened the matter for a motion.

A motion was made by Mr. Metcalfe, with second by Mr. Milling, to approve the above referenced request, subject to the following conditions:

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- 1) that no addition be constructed;**
- 2) no storage of bulk 55-gallon drums on site; and,**
- 3) full compliance with all other codes and ordinances.**

**#5792**

**(Case #ZON2012-02481)**

**Susan and Kevin Carley**

19 Westgate Road

(North side of Westgate Road, 250'± East of Bit and Spur Road).

**Side Yard Setback Variance to allow a porch expansion within 5.5' of a side property line in an R-1, Single-Family Residential District; the Zoning Ordinance requires a minimum side yard setback of 8' in an R-1, Single-Family Residential District.**

The Chair announced the matter, advising it had been recommended for denial. He advised the applicant should address the Board regarding the subject at that time.

Susan Carley, 19 Westgate Road, Mobile, AL spoke on her on behalf and made the following points in support of the application:

- Needs the 1 ½ foot over the 8 foot limit from the property line to support the roof from the main part of the house.
- Husband works from home and uses the guest room portion as study.

Mr. Metcalfe asked had the applicant spoken with the neighbors.

Mrs. Carley stated that she notified her neighbors and none of them have informed her that they would have any problems with this.

Mr. Metcalfe asked the staff had they received any objections from anybody.

Mr. Palombo stated that no objections were received on this case.

The Chair asked if there were any more questions from the Board. Hearing none, he asked if there were those present in opposition to the matter and opened the floor to their comments. Hearing none, he opened the matter for a motion.

A motion was made by Mr. Guess, with second by Mr. Davis, to approve the above referenced request, subject to the following conditions:

- 1) the provision of gutters and downspouts; and,**
- 2) full compliance with all other codes and ordinances.**

**#5793**

**(Case #ZON2012-02483)**

**Olensky Brothers Office Supplies and General Store**

28 South Royal Street

(Northwest corner of South Royal Street and Conti Street).

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**Sign Variance to allow a 64-square foot sign on a building façade for a tenant with 30 linear feet of primary building wall in a Historic District; the Zoning Ordinance allows 1.5 square feet of signage per linear foot of the primary building wall (45 square feet in this case), up to a maximum of 64 square feet per tenant, in a Historic District.**

The Chair announced the matter, advising it had been recommended for denial. He advised the applicant should address the Board regarding the subject at that time.

The Chair asked if there were any more questions from the Board. Hearing none, he asked if there were those present in opposition to the matter and opened the floor to their comments. Hearing none, he opened the matter for a motion.

A motion was made by Mr. Metcalfe, with second by Mr. Davis, to approve the above referenced subject to the following conditions:

- 1) approval from the Architectural Review Board; and,**
- 2) full compliance with all other codes and ordinances.**

**#5794/5708/5685**

**(Case #ZON2012-02486)**

**Advanced Disposal Services Gulf South, LLC & Jeffrey E. Quinnelly**

**6225 Rangeline Road**

**(East side of Rangeline Road, 1400'± North of Old Rangeline Road).**

**Parking Surface Variance to amend a previously approved Surfacing, Off-Site Parking, and Access/Maneuvering Variance to allow three additional gravel-surfaced parking spaces in a B-5, Office-Distribution District; the Zoning Ordinance requires parking surfaces to be paved with asphalt, concrete, or an approved alternative paving surface in a B-5, Office-Distribution District.**

The Chair announced the matter, advising it had been recommended for approval. He advised the applicant should address the Board regarding the subject at that time.

The Chair asked if there were any more questions from the Board. Hearing none, he asked if there were those present in opposition to the matter and opened the floor to their comments. Hearing none, he opened the matter for a motion.

A motion was made by Mr. Metcalfe, with second by Mr. Davis, to approve the above referenced subject to the following conditions:

- 1) full compliance with all other codes and ordinances.**

**OTHER BUSINESS:**

There being no further business, the meeting was adjourned.

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**APPROVED:**

A handwritten signature in black ink, appearing to be "William J. ...", written over a horizontal line.

Chairman of the Board

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