



Agenda Item # 1 – EXTENSION

BOA-002541-2023

View additional details on this proposal and all application materials using the following link:

[Applicant Materials for Consideration](#)

DETAILS

Location:

133 Eaton Square

Applicant / Agent:

Richard and Mellie Noblet

Property Owner:

Richard and Mellie Noblet

Current Zoning:

R-3, Multi-Family Residential Suburban District

Future Land Use:

Low Density Residential

Case Numbers:

6529/6394

Unified Development Code Requirement:

- A 25-foot side street side yard setback in an R-3, Multi-Family Residential Suburban District.

Board Consideration:

- To allow the construction of a garage less than ten-feet (10') from a side street side yard property line in an R-3, Multi-Family Residential Suburban District.

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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units.

| | | | |
|--------------------|--|------|-----------------|
| APPLICATION NUMBER | 6529 | DATE | January 5, 2026 |
| APPLICANT | Richard and Mellie Noblet | | |
| REQUEST | Side Street Side Yard Setback Variance | | |



SITE HISTORY

The subject site was granted a rezoning from R-1, Single-Family Residential District, to R-3, Multi-Family Residential District for the area that is known as Eaton Square Subdivision by the Planning Commission at its February 4, 1965 meeting. In February, 1969, the Planning Commission tentatively approved Bixler Place Subdivision, with final approval being granted in June, 1969. That subdivision was recorded as the current Eaton Square Subdivision.

In June 1965, a Special Exception Variance request was heard by the Board for the area to allow a 100-unit apartment complex, but the Board decided that the request should be heard by the Planning Commission. The property was subsequently rezoned by City Council approval, but the apartment complex was never built. With the adoption of the Zoning Ordinance in 1967, the site retained its R-3 classification.

The subject site was granted a Side Street Side Yard Setback Variance in June 2021 to allow construction of a garage less than 25-feet from a side street side yard property line, but the project was never started and the variance expired.

The subject site was granted a Side Street Side Yard Setback on September 11, 2023, with extensions granted on March 4, 2024, October 7, 2024, and June 2, 2025, to allow the construction of a garage less than ten feet (10') from a side street side yard property line.

On August 15, 2024, the Planning Commission tentatively approved Chateau Noblet Subdivision, the plat for which has since been recorded in Mobile County Probate Court.

STAFF COMMENTS

Engineering Comments:

No comments to the proposed variance; however, according to the submitted plans, the proposed project will require a Land Disturbance Permit to be submitted through Central Permitting.

Traffic Engineering Comments:

No comments.

Urban Forestry Comments:

Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.

Fire Department Comments:

All projects located within the City Limits of Mobile shall comply with the provisions of the City of Mobile Fire Code Ordinance, which adopts the 2021 edition of the International Fire Code (IFC).

Fire apparatus access roads shall be provided to within 150 feet of all non-sprinklered commercial buildings and within 300 feet of all sprinklered commercial buildings, as measured along an approved route around the exterior of the facility.

An approved fire water supply capable of meeting the requirements set forth in Appendices B and C of the 2021 IFC shall be provided for all commercial buildings.

Fire hydrant placement shall comply with the following minimum standards:

- Within 400 feet of non-sprinklered commercial buildings
- Within 600 feet of sprinklered commercial buildings
- Within 100 feet of fire department connections (FDCs) serving standpipe or sprinkler systems

Although the International Residential Code (IRC) functions as a stand-alone document for the construction of one- and two-family dwellings and townhouses, it does not govern the design or layout of emergency access or community-level fire protection infrastructure. Therefore, residential developments must also comply with the applicable requirements of the International Fire Code, including, but not limited to, those listed above concerning the design, construction, regulation, and maintenance of fire apparatus access roads and fire protection water supplies.

Planning Comments:

The applicant is requesting a six (6)-month extension of the most recent approval of the side street side yard setback variance approved by the Board at its September 11, 2023 meeting with the following conditions:

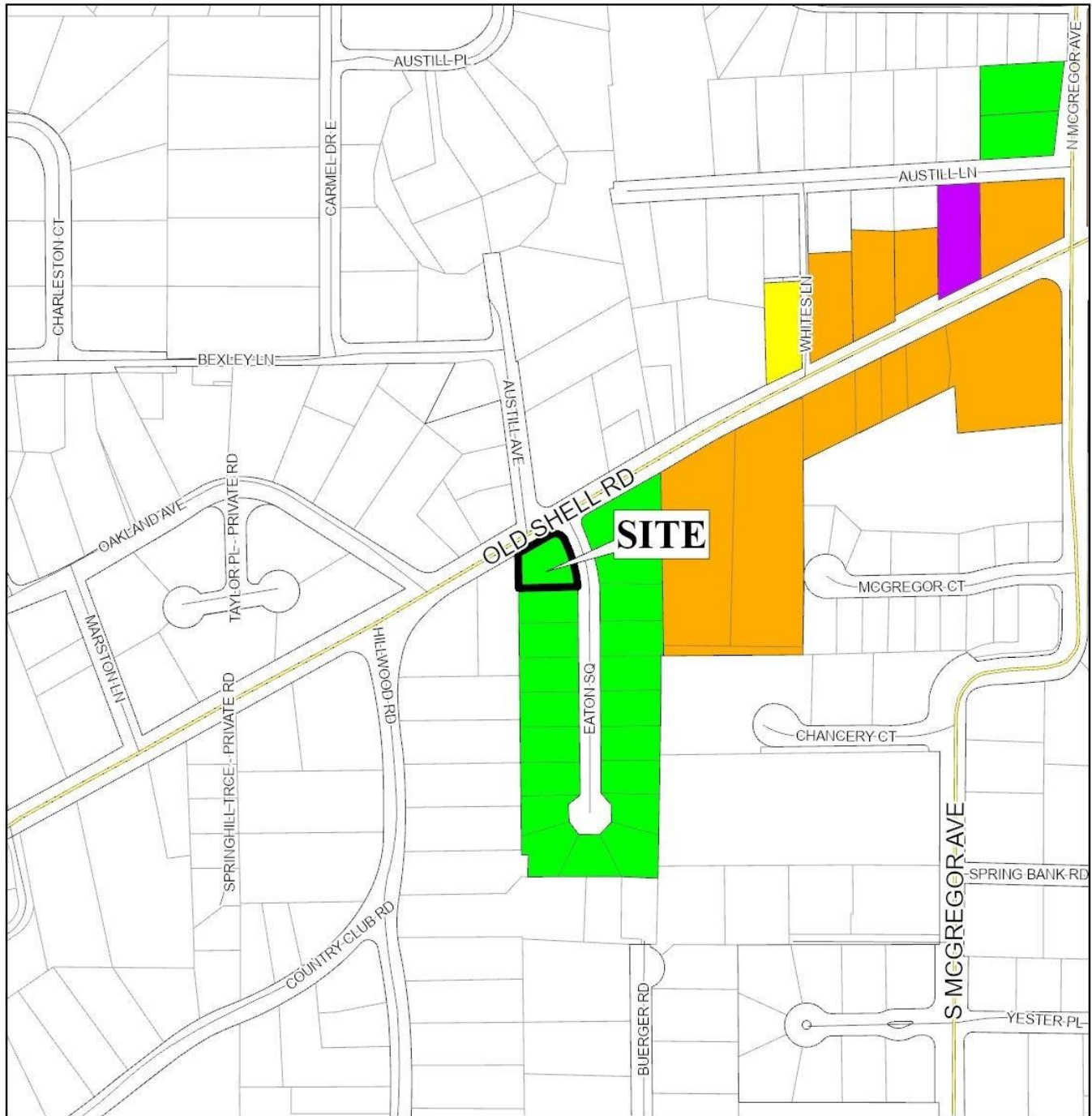
- 1) Revision of the addition to remove the encroachment into the 7.5- foot drainage and utility easement; and
- 2) Submission and recording of a subdivision application to alter the recorded setback line along Old Shell Road.

This is the fourth extension request for this approval. The applicant states that they are requesting an extension due to a delay in completing their plans. To date, no plans have been provided to the Permitting Department for review, and no associated development permits have been issued. Based on the multiple requests for extension, the applicant should consider making application for the variance once the project is ready to move forward.

VARIANCE EXTENSION CONSIDERATIONS

Due to the number of extensions the applicant has received, they may have submitted their variance application prematurely. It is recommended that the application be allowed to expire, and the applicant be required to submit a new application when they are prepared to begin the project.

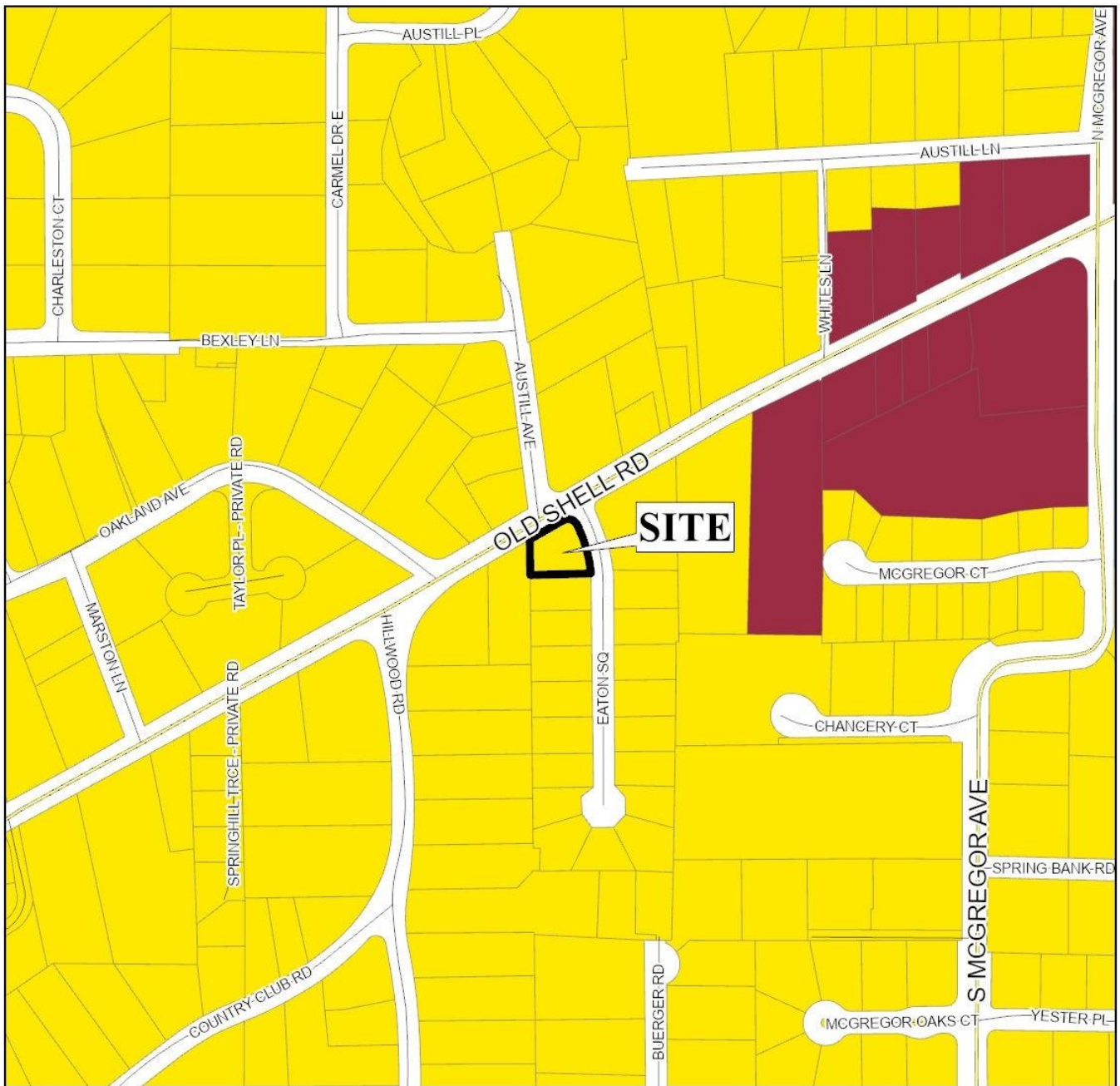
LOCATOR ZONING MAP



| | | | |
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FLUM LOCATOR MAP



APPLICATION NUMBER 6529 DATE January 5, 2026

APPLICANT Richard and Mellie Noblet

REQUEST Side Street Side Yard Setback Variance

- | | | | |
|--|--|---|---|
| Low Density Residential | Neighborhood Center - Traditional | Downtown Waterfront | Parks & Open Space |
| Mixed Density Residential | Neighborhood Center - Suburban | Light Industry | Water Dependent |
| Downtown | Traditional Corridor | Heavy Industry | |
| District Center | Mixed Commercial Corridor | Institutional | |



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BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING ZONING

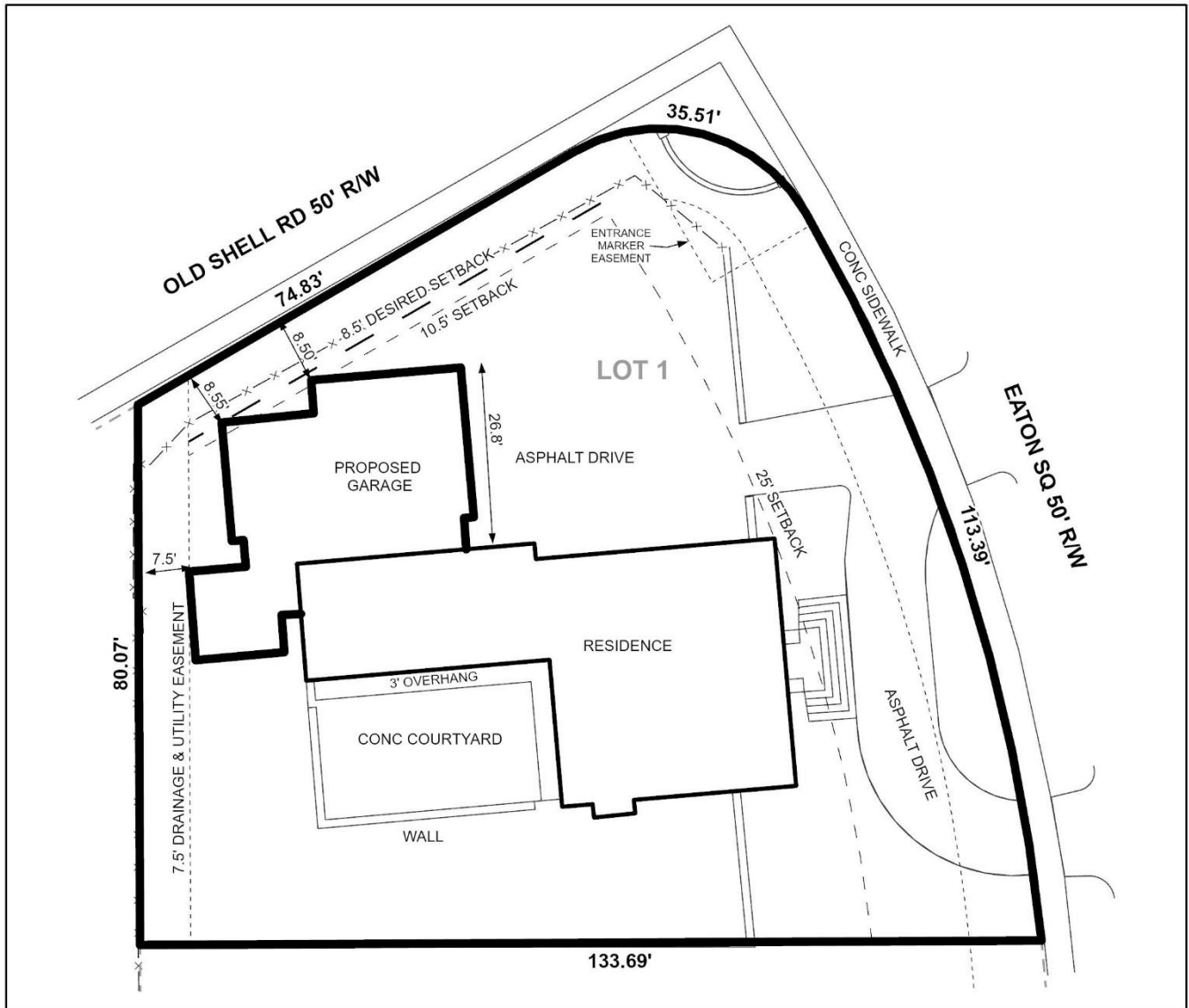


The site is surrounded by residential units.

| | | | |
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| R-A | R-3 | B-1 | B-2 |
| R-1 | R-B | T-B | B-3 |
| R-2 | H-B | LB-2 | B-4 |
| B-5 | B-3 | CW | MM |
| ML | MH | I-1 | MUN |
| I-2 | PD | SD | SD-WH |
| OPEN | T-3 | T-4 | T-5.1 |
| T-5.2 | T-6 | | |



SITE PLAN



The site plan illustrates the existing building, setbacks, easements, and proposed garage.

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FUTURE LAND USE MAP CORRESPONDENCE TO ZONING

A primary purpose of the Future Land Use Map is to guide zoning decisions. In many cases the designation on the FLUM may match the existing use of land, but in others the designated land use may differ from what is on the ground today. For example, a parcel that is in commercial use today but designated as any of the “mixed use” types on the map could redevelop with a mix of residential and commercial uses (such as retail, office, entertainment, etc., depending on the location).

Each future land use designation on the FLUM will have at least one corresponding zoning district, allowing a more precise application of the FLUM based on specific local conditions. In most cases, there are multiple combinations or types of zoning techniques that can accomplish the future land use designation's objectives.

The correspondence between the FLUM and the zoning district structure is described in the matrix below. This tool gives the City the flexibility over the long-term to determine appropriate changes to the zoning map based on various factors.

The designation of an area with a FLUM land use category does not mean that the most intense zoning district consistent with that category is “automatically” assigned to a property. Instead, an area retains its existing zoning category until it is changed through a landowner-initiated rezoning application, or a rezoning that follows an area plan. This is because the FLUM is a long-term designation, while a change in zoning considers current conditions – such as market demands, availability of infrastructure, or impacts on the immediate neighborhood.

Zoning correspondence matrix

[illegible]

LOW DENSITY RESIDENTIAL (LDR)

This designation applies to residential neighborhoods found mostly west of I-65 or immediately adjacent to the east side of I-65. These areas are primarily single family residential, but may contain small-scale complimentary uses and other residential types at appropriate locations. An LDR area may include a wide range of lot sizes, housing size and styles, including some small-scale multi-unit buildings, but housing styles are highly consistent within a subdivision and tend to have limited connectivity between residential types and non-residential uses. Neighborhoods tend to have longer blocks and may be designed in a network of meandering streets. Residential density ranges between 0 and 6 dwelling units per acre (du/ac).

Development Intent

- › Complementary uses are designed and sited in a manner compatible with and connected to the surrounding context.
- › The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.
- › When establishing new residential areas or expanding existing developments, provide pedestrian and vehicular connectivity between adjacent developments.

Land use mix

Primary Uses

- › Residential, Single family
- › Residential, Attached

Secondary Uses

- › Residential, Multifamily
- › Civic
- › Parks

Housing mix

- › Predominantly single family subdivisions with lots smaller than one acre
- › Attached residential such as duplexes, multiplexes, and townhomes that have the scale of a single family home

Character Example

