



## Agenda Item # 2 - EXTENSION

BOA-003265-2025

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

[Applicant Materials for Consideration](#)

### DETAILS

**Location:**

720 Museum Drive

**Applicant / Agent:**

Philip Burton, Burton Property Group, LLC

**Property Owner:**

Museum Partners, LLC

**Current Zoning:**

R-1, Single-Family Residential Suburban District,  
within the Neighborhood General sub-district of the  
Spring Hill Overlay

**Future Land Use:**

Neighborhood Center - Traditional

**Case Numbers:**

6662/6549

**Unified Development Code (UDC) Requirement:**

- The Unified Development Code (UDC) does not allow hotels in an R-1, Single-Family Residential Suburban District, within the Neighborhood General sub-district of the Spring Hill Overlay.

**Board Consideration:**

- Use Variance to allow a hotel on a site currently zoned R-1, Single-Family Residential Suburban District, within the Neighborhood General sub-district of the Spring Hill Overlay.

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# BOARD OF ADJUSTMENT

## VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential and commercial units.

APPLICATION NUMBER 6662 DATE August 3, 2026  
 APPLICANT Philip Burton, Burton Property Group, LLC  
 REQUEST Use Variance



## SITE HISTORY

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The site was formerly used by the Alabama National Guard as an armory with the existing large building constructed in the mid to late 1960's. The Armory Commission of Alabama deeded the property to the City in the 2000's and in 2023, the City published a Request For Proposal (RFP) to sell the property.

The site was before the Board of Zoning Adjustment at its December 4, 2023 meeting with an application to allow a Planned Development on the subject site. The applicant withdrew the application.

The application for which this extension is requested was before the Board at its April 7, 2025 meeting.

On May 15, 2025, the Planning Commission approved a two (2)-lot subdivision for the site, Fort Hardeman Subdivision, Resubdivision of Lots 1 and 2, and a Rezoning from R-1, Single-Family Residential Suburban District, to B-2, Neighborhood Business Suburban District. The City Council subsequently adopted the Rezoning on July 22, 2025.

On March 2, 2026, the Board of Zoning Adjustment approved a variance request to allow a structure larger than 20,000 square feet, reduced front landscaped area, provision of more parking spaces than allowed, a reduced number of street tree plantings, and reduced public access doors on a site currently zoned B-2, Neighborhood Business Suburban District, within the Neighborhood General sub-district of the Spring Hill Overlay.

On March 19, 2026, the Planning Commission approved a three (3)-lot subdivision for the site, Armory Subdivision, which has not been recorded in Probate Court.

## STAFF COMMENTS

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### **Engineering Comments:**

No comments.

### **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 one (1)-year extension of the most recent approval of the Use Variance to allow a hotel on a site currently zoned R-1, Single-Family Residential Suburban District, within the Neighborhood General sub-district of the Spring Hill Overlay, originally approved by the Board at its April 7, 2025 meeting. This is the second extension request of this approval.

The Variance was approved subject to the following conditions:

- 1) Completion of a 2-lot Subdivision to alter the interior lot lines between the subject site and the fire station;
- 2) Completion of rezoning the site from R-1 to B-2;
- 3) Either revision of the site plan to fully comply with the Spring Hill Overlay requirements, or submittal of a site variance to address the non-conforming aspects; and
- 4) Full compliance with all municipal codes and ordinances.

As justification for the request, the applicant states the following:

*"The parties have not closed on the sale of the property to the Applicant, but anticipate closing in the next 30-60 days and Applicant will finalize plans after closing. Applicant requests a one (1) year extension of the use variance."*

It should be noted that Variance request approval extensions are normally granted on a six-month basis.

The site has completed the two-lot subdivision and rezoning as required, with a revised subdivision plat approved and waiting to be recorded.

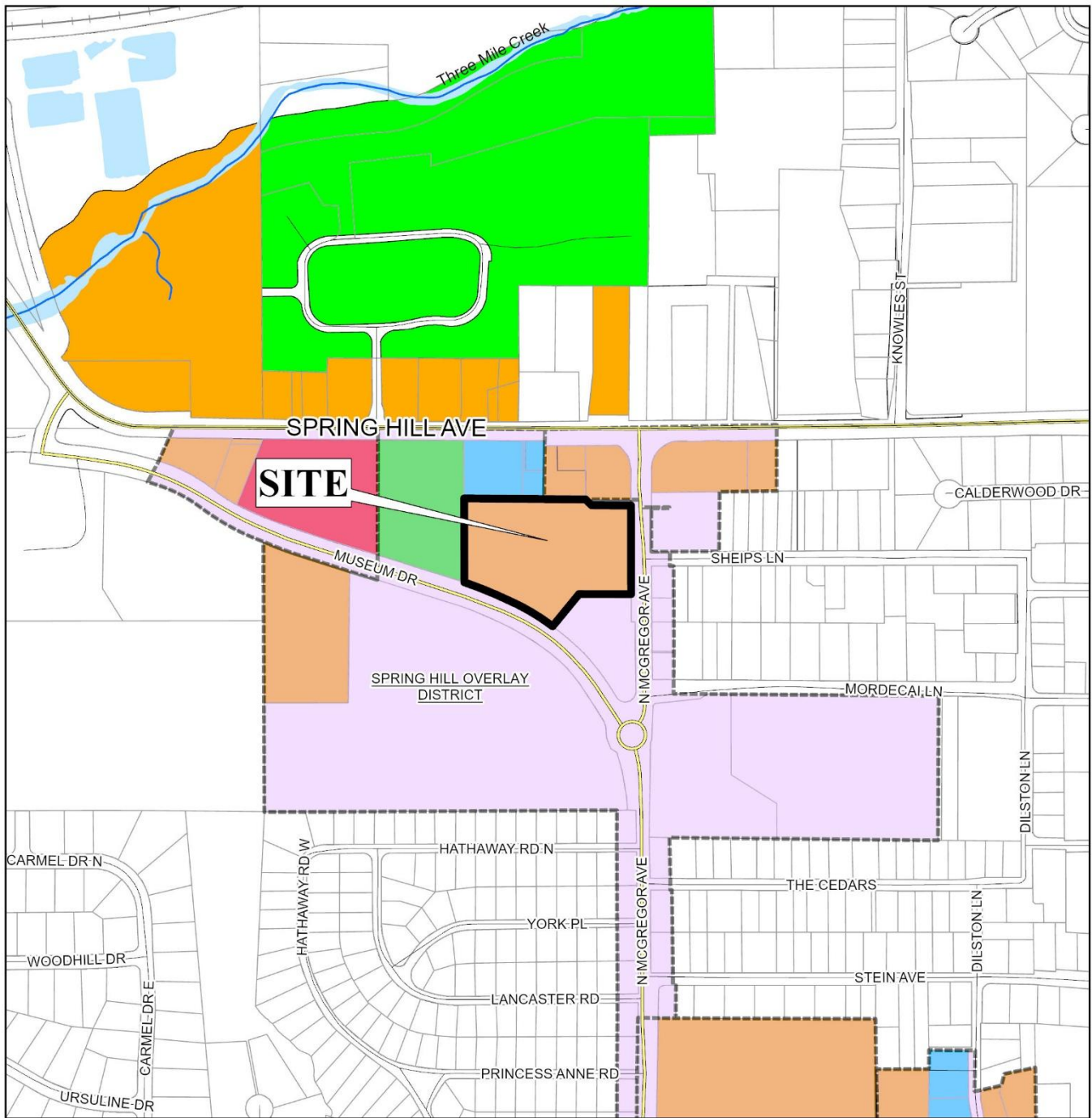
## VARIANCE EXTENSION CONSIDERATIONS

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### **Standards of Review:**

The Board is typically amenable to granting extensions, especially when the applicant is working towards site development. Granting of such extensions are always in compliance with the findings of facts associated with the original approval.

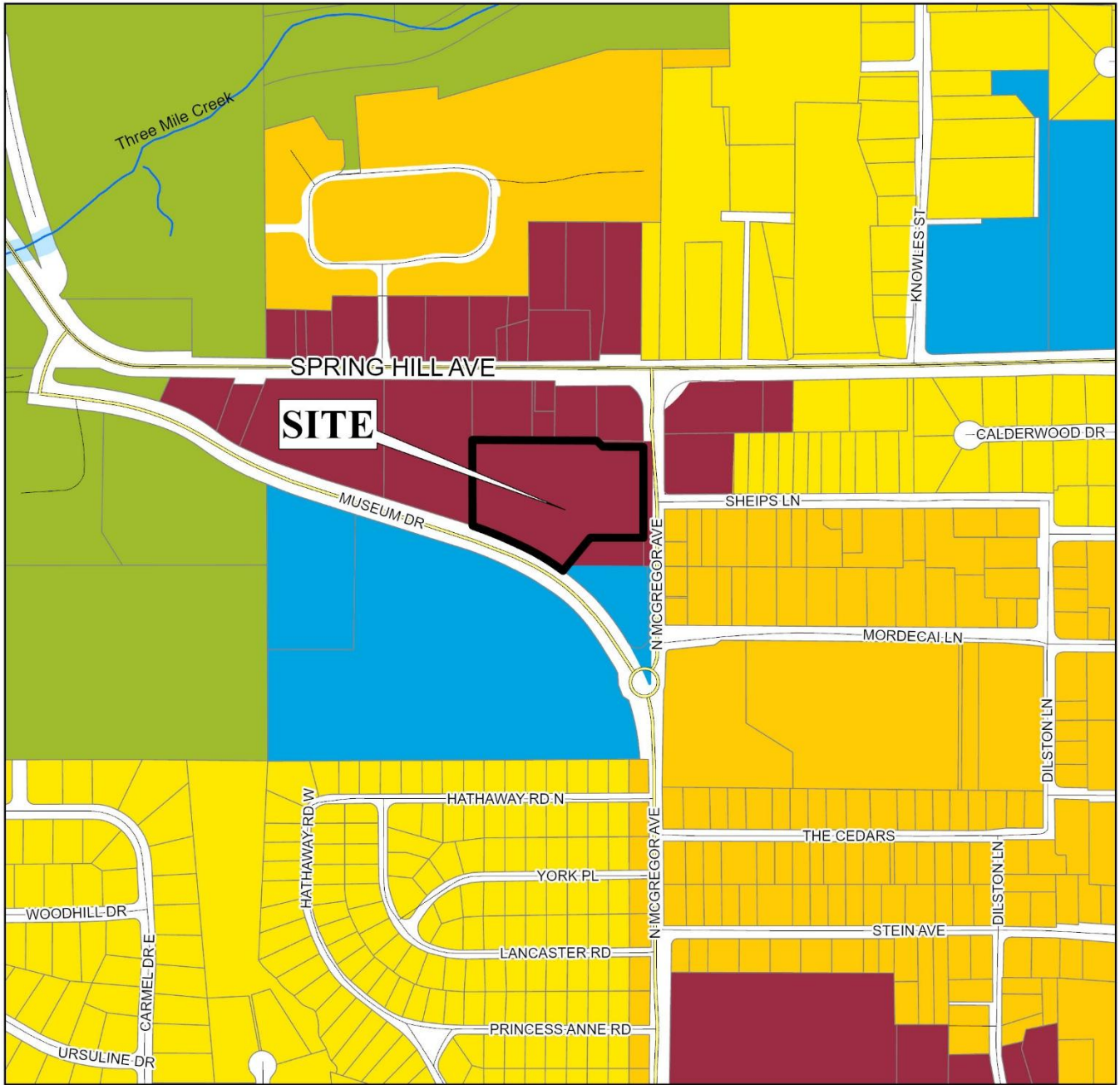
# LOCATOR ZONING MAP



APPLICATION NUMBER 6662 DATE August 3, 2026  
APPLICANT Philip Burton, Burton Property Group, LLC  
REQUEST Use Variance



# FLUM LOCATOR MAP



APPLICATION NUMBER 6662 DATE August 3, 2026  
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REQUEST Use Variance

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



NTS

# BOARD OF ADJUSTMENT

## VICINITY MAP - EXISTING ZONING



The site is surrounded by residential and commercial units.

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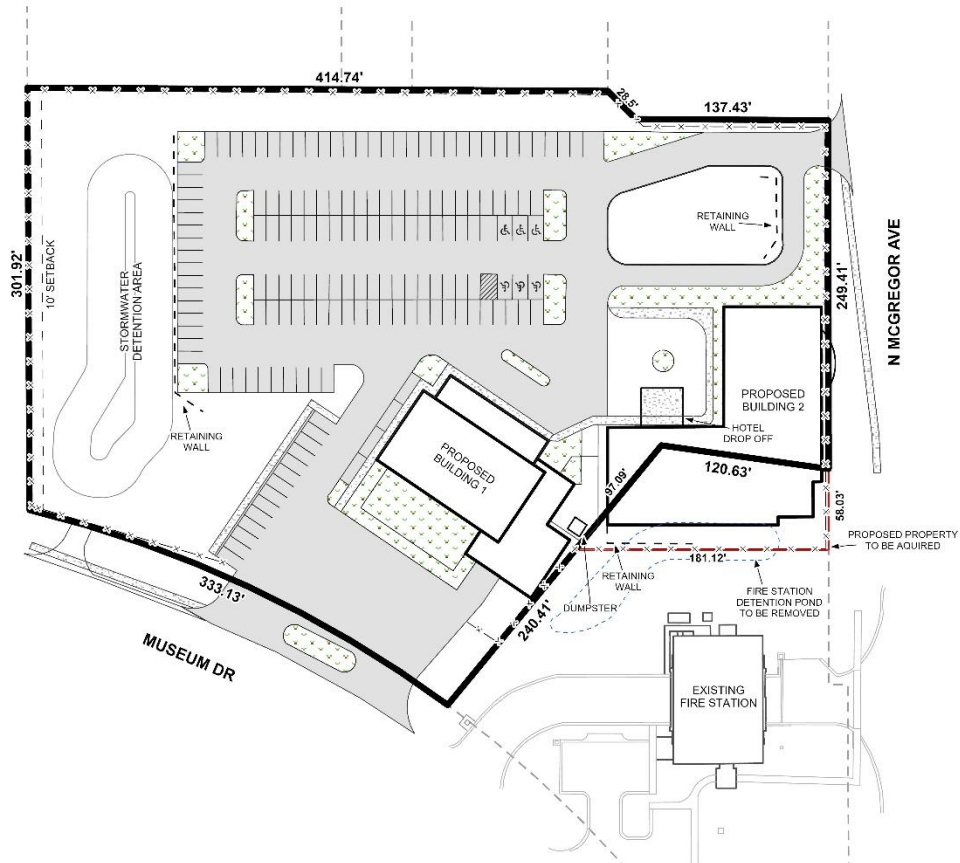
APPLICANT Philip Burton, Burton Property Group, LLC

REQUEST Use Variance

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



## SITE PLAN



The site plan illustrates the proposed buildings, setback, proposed property to be acquired, parking and drives.

|                    |                                           |      |                |
|--------------------|-------------------------------------------|------|----------------|
| APPLICATION NUMBER | 6662                                      | DATE | August 3, 2026 |
| APPLICANT          | Philip Burton, Burton Property Group, LLC |      |                |
| REQUEST            | Use Variance                              |      |                |



## DETAIL SITE PLAN



Conceptual  
Architectural  
Theme

2 COURTYARD ENTRY  
0 4 8 12 16



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# DETAIL SITE PLAN



APPLICATION NUMBER 6662 DATE August 3, 2026

APPLICANT Philip Burton, Burton Property Group, LLC

REQUEST Use Variance



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]

## NEIGHBORHOOD CENTERS (NC)

Neighborhood Center applies to smaller hubs of mixed commercial, community, and recreational activity that cater to adjacent residential areas. Many of these centers exist today in some form. The following principles apply not just to the future development of new centers, but also to the redevelopment of existing centers. These principles are common to all neighborhood centers, but the appropriate design varies depending on whether a center is in a more “traditional” or more “suburban” context.

- › Support a limited amount of commercial employment
- › Incorporate some residential use, compatible in character with that of surrounding residential development, providing appropriate transitions in height, massing and other buffering from one land use district to the next.
- › The retail and housing uses should merge around vibrant, compact, accessible nodes, located at key neighborhood intersections or along short road segments. Form vibrant, compact, accessible nodes, located at key neighborhood intersections or along short road segments.
- › Be connected to the surrounding neighborhood and nearby public uses (e.g., schools, parks, etc.) via well-designed sidewalks and complete streets.

### Land use mix

#### Primary Uses

- › Commercial
- › Office
- › Residential, Multifamily

#### Secondary Uses

- › Residential, Attached
- › Civic
- › Parks

### Housing mix

- › Various types ranging in density from 10 to 30 du/ac;
- › Residential units above ground-floor retail
- › Multifamily buildings (small scale)
- › Attached residential such as duplexes, multiplexes, and townhomes
- › Accessory and live-work units



## NC TRADITIONAL (NCT)

These tend to be in areas connected to MxDR neighborhoods. They primarily occur east of I-65.

### Development Intent

- › Buildings should orient to the street, with on-site parking typically pushed to the back of the site.
- › Design qualities of the public realm are emphasized, including the provision of continuous sidewalks, tree canopy, pedestrian amenities, on-street parking and bicycle facilities where appropriate.



## NC SUBURBAN (NCS)

These generally are located among the LDR neighborhoods west of the I-65. Where they exist, these centers currently have a more pronounced vehicular orientation.

### Development Intent

- › Support increase in mix and density of uses (e.g., infill of outparcels, addition of housing, etc.).
- › Retrofit to improve internal walkability (e.g., through the addition of sidewalks, tree canopy, protection from the elements) and external connectivity to the surrounding areas (via sidewalks, paths and trails, street crossings, transit stops, etc.)

