



Agenda Item # 5
BOA-003429-2025

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

[**Applicant Materials for Consideration**](#)

DETAILS

Location:

1868 Government Street

Applicant / Agent:

Kimba Motors / Sharon Ingram

Property Owner:

Nick T. Catranis

Current Zoning:

B-2, Neighborhood Business Urban District

Future Land Use:

Traditional Center

Case Number(s):

6693

Unified Development Code (UDC) Requirement:

- The UDC requires a minimum of B-3, Community Business Urban District for automobile sales.

Board Consideration:

- Use Variance to allow automobile sales in a B-2, Neighborhood Business Urban District.

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BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial and residential units.

APPLICATION NUMBER 6693 DATE September 8, 2025
APPLICANT Kimba Motors (Dr. Sharon Ingram, Agent)
REQUEST Use Variance



SITE HISTORY

The property was originally zoned for residential use until 1951, when it was rezoned for commercial use with the adoption of the 1951 Zoning Ordinance. It was subsequently rezoned to B-2, Neighborhood Business District, under the 1967 Zoning Ordinance, and it has retained the B-2 classification through the adoption of the Unified Development Code in 2022.

From at least 1985 until 1995, the property was occupied by a florist. It appears to have been vacant between 1995 and 1997. From 1998 until 2005, the site was used by an alternative financial service provider, followed by a retail clothing store from 2005 until at least 2009. The property was again vacant from 2011 until 2017, after which it was occupied by a beauty salon for one (1) year, then vacant until 2019. Between 2019 and 2021, the site was used as an electronics retail store. The property has been vacant since 2021. Each of these uses was permitted by right within the B-2 zoning district.

In 2024, the applicant, Kimba Motors, was denied a Zoning Clearance for a Business License to operate an automobile dealership at this location. A similar Zoning Clearance request was denied earlier in 2025.

The property is described by metes and bounds, and there are no records of Planning Commission or Board of Zoning Adjustment cases associated with the site.

STAFF COMMENTS

Engineering Comments:

No comments.

Traffic Engineering Comments:

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Article 3, Section 64-3-12 of the City's Unified Development Code.

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 requests a Use Variance to allow automobile sales within a B-2, Neighborhood Business Urban District. The Unified Development Code (UDC) requires a minimum of a B-3, Community Business Urban District, zoning designation for automobile sales.

In support of the request, the applicant states that the proposed use would be limited to an office. The application and supporting documentation are available via the link on Page 1 of this report.

The submitted site plan depicts the existing building, parking spaces, dumpsters, and dumpster enclosure. The building contains three (3) tenant spaces, two (2) occupied by restaurants and one (1) by a retail use. One (1) of the restaurant spaces is shown as divided into two (2) suites, with one (1) identified for automobile sales.

Staff notes that the application lists 1868 Government Street, the address assigned to the central tenant; however, the site plan indicates that 1866 Government Street is the intended location. Staff finds no evidence of permits or inspections approving the delineation of the restaurant tenant at this address. Additionally, a change in use from a restaurant to an office or other retail use may constitute a change in occupancy, requiring compliance with all Building, Plumbing, Electrical, Mechanical, and Fire Codes prior to issuance of a Certificate of Occupancy.

Parking on the site appears sufficient based on the size of the tenant spaces. Vehicular maneuvering occurs in two areas: one-way access to the rear of the site from Airport Boulevard, and a single-lane drive-through with access to Government Street. Maneuvering at the front of the building occurs entirely within the Government Street right-of-way, a condition which appears to be nonconforming.

Although the applicant states the tenant space will function only as an office, implying that vehicle inventory will not be stored on-site, staff notes a history of similar variance approvals where conditions prohibiting on-site inventory were violated. In one example on Overlook Road, a Use Variance was approved in February 2019 with such a condition, but the applicant ignored the restriction, resulting in a nuisance for the surrounding area. That case required repeated enforcement actions, court proceedings, and ultimately eviction by the property owner. Similar issues have occurred at other sites, underscoring the risk of approving variances without clear evidence of hardship.

In this case, the property has been continuously used in compliance with zoning regulations since at least 1985. The applicant has not provided evidence that the property cannot be used in compliance with the permitted B-2 uses. As such, staff finds no hardship that would justify granting a variance to allow automobile sales at this location.

VARIANCE CONSIDERATIONS

Standards of Review:

Variances are not intended to be granted frequently. The applicant must clearly show the Board that the request is due to very unusual characteristics of the property and that it satisfies the variance standards. What constitutes unnecessary hardship and substantial justice is a matter to be determined from the facts and circumstances of each application.

Article 5 Section 10-E. 1. of the Unified Development Code states that the Board of Adjustment may grant a variance if:

- The Applicant demonstrates that the variance shall not be contrary to the public interest;
- Where, owing to special conditions a literal enforcement of the provision of this Chapter will result in unnecessary hardship; and
- The spirit of this Chapter will be observed and substantial justice done.

Article 5 Section 10-E.2. states no variance shall be granted:

- (a) In order to relieve an owner of restrictive covenants that are recorded in Mobile County Probate Court and applicable to the property;
- (b) Where economic loss is the sole basis for the required variance; or
- (c) Where the variance is otherwise unlawful.

Considerations:

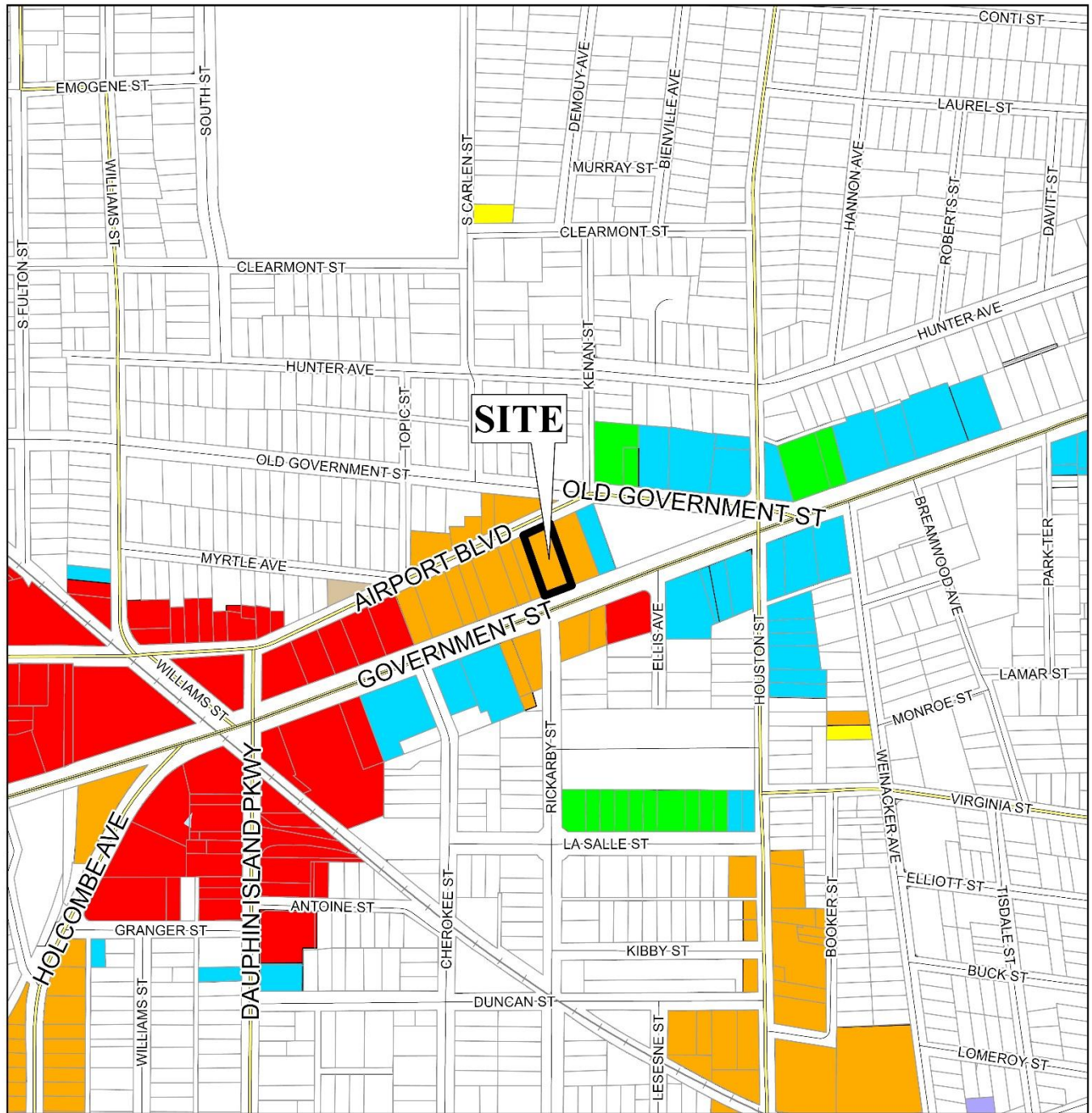
Based on the requested Variance application and documentation submitted, if the Board considers approval of the request, the following findings of fact must be presented:

- 1) The variance **will not** be contrary to the public interest;
- 2) Special conditions exist such that a literal enforcement of the provisions of the chapter **will** result in unnecessary hardship; and
- 3) 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 following conditions should apply:

- 1) The property shall only be used for clerical/office uses associated with automotive sales;
- 2) There shall be no storage, display or sale of vehicles from this location;
- 3) Acquisition of all necessary permits and inspections approving use of the separate tenant space; and,
- 4) Full compliance with all other codes and ordinances.

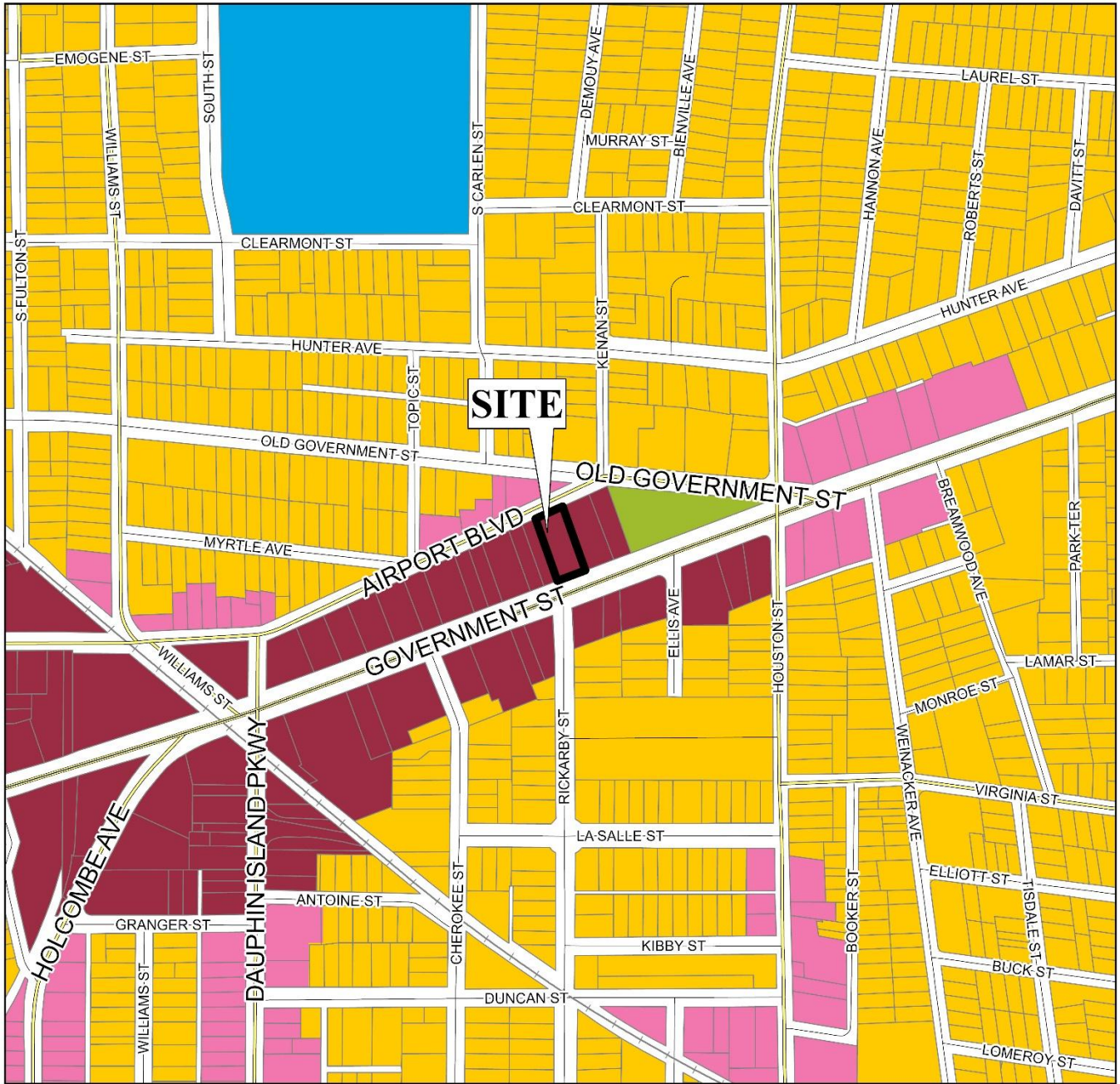
LOCATOR ZONING MAP



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FLUM LOCATOR MAP



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- | | | | |
|---|---|--|---|
| 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 | |



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



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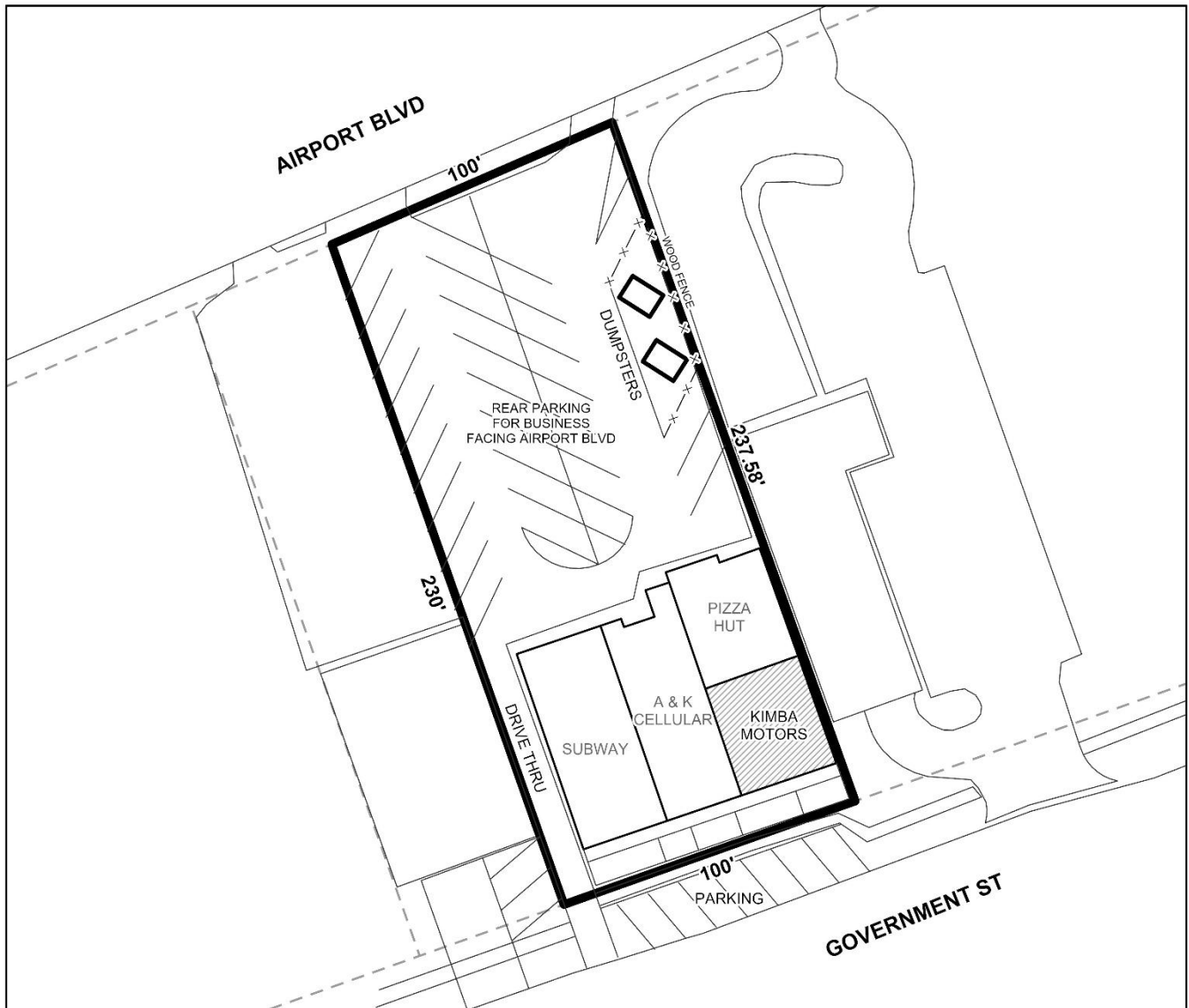
APPLICANT Kimba Motors (Dr. Sharon Ingram, Agent)

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 existing building, parking, drives, and dumpsters.

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ZONING DISTRICT CORRESPONDENCE MATRIX																
			LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDWRU)
RESIDENTIAL - AG	R-A															
ONE-FAMILY RESIDENCE	R-1	■					■		■					□		
TWO-FAMILY RESIDENCE	R-2	■					■		■					□	○	
MULTIPLE-FAMILY	R-3	○	■				■	■						□	○	
RESIDENTIAL-BUSINESS	R-B		○				■		■					□	○	
TRANSITIONAL-BUSINESS	T-B		○			■	■	■	■					□		
HISTORIC BUSINESS	H-B				■		■		■					□		
VILLAGE CENTER	TCD						■	■						□		
NEIGH. CENTER	TCD						■	■						□		
NEIGH. GENERAL	TCD						■							□		
DOWNTOWN DEV. DDD	T-6				■									□		
DOWNTOWN DEV. DDD	T-5.1				■		■		□					□		
DOWNTOWN DEV. DDD	T-5.2				■		■							□		
DOWNTOWN DEV. DDD	T-4				■		■		□					□		
DOWNTOWN DEV. DDD	T-3				■		■							□		
DOWNTOWN DEV. DDD	SD-WH										○	○		□		
DOWNTOWN DEV. DD	SD	○	○	○	○	○	○	○	○		○	○		□		
BUFFER BUSINESS	B-1		□				□	■	■	■				□	○	
NEIGH. BUSINESS	B-2		○				□	■	■	■				□	○	
LIMITED BUSINESS	LB-2		○				□	■	■	■				□	○	
COMMUNITY BUSINESS	B-3					■				■			○	□	○	
GEN. BUSINESS	B-4				■					■			○	□	○	
OFFICE-DISTRIBUTION	B-5									■	■			□	□	
LIGHT INDUSTRY	I-1										■			□	□	□
HEAVY INDUSTRY	I-2											■		□		□

Zoning District Correspondence Matrix

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

TRADITIONAL CORRIDOR (TC)

This land use designation generally applies to transportation corridors east of I-65, which serve as the primary commercial and mixed-use gateway to Downtown and the City's traditional neighborhoods (equivalent to Map for Mobile's Traditional Neighborhoods).

Depending on their location (and as allowed by specific zoning), TC designations incorporate a range of moderately scaled single-use commercial buildings holding retail or services; buildings that combine housing units with retail and/or office; a mix of housing types including low- or mid-rise multifamily structures ranging in density from 4 to 10 du/ac; and attractive streetscapes and roadway designs that safely accommodate all types of transportation – transit, bicycling, walking, and driving. In these areas, special emphasis is placed on the retention of existing historic structures, compatible infill development, and appropriate access management.



DISTRICT CENTER (DC)

This designation applies across the city to larger areas of existing mixed-use character or where such character is encouraged. These areas will include moderate to high-density residential (minimum densities of 6 du/ac) in dynamic, horizontal or vertical mixed use environments, to provide a balance of housing and employment.

District Centers generally serve several surrounding neighborhoods and may even have a city-wide or region-wide reach. As such, they are often anchored by a major commercial or institutional employer such as a shopping mall or a medical center.

Depending on location and assigned zoning, residential areas in District Centers may incorporate a mix of housing types, ranging from mid-rise multifamily buildings containing apartments and lofts, to townhouses and detached single-family homes. Major civic cultural institutions and public spaces provide regional and neighborhood destinations.

District Centers should be designed to induce pedestrian activity, with high quality streetscapes connecting the different components of a center as well as the center to its surrounding area. DC districts may be served by transit and include development of an intensity and design that supports transit use.