



## Agenda Item # 5

### BOA-003799-2026

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

[Applicant Materials for Consideration](#)

## DETAILS

**Location:**

306, 308 & 310 Glenwood Street

**Applicant / Agent:**

Dixie Designs, LLC (Charles Elliot, Agent)

**Property Owner:**

Dixie Designs, LLC

**Current Zoning:**

B-2, Neighborhood Business Urban District

**Future Land Use:**

Mixed Density Residential

**Case Number(s):**

6769/6630/6227/5646

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

- The UDC does not allow warehouses in a B-2, Neighborhood Business Urban District.

**Board Consideration:**

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

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# BOARD OF ADJUSTMENT

## VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential and commercial units.

|                    |                    |      |                |
|--------------------|--------------------|------|----------------|
| APPLICATION NUMBER | 6769               | DATE | August 3, 2026 |
| APPLICANT          | Dixie Designs, LLC |      |                |
| REQUEST            | Use Variance       |      |                |



## SITE HISTORY

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The site was originally recorded as Lots 19, 20, and 21, Block 3 of the *Government Street Extension Subdivision*, the plat for which was submitted to the Mobile County Probate Court in July 1906.

A portion of the site, located at 306 Glenwood Street, was the subject of a Parking Ratio Variance approved in December 2010, allowing a substandard amount of parking for an associated retail store and restaurant.

Another portion of the site, located at 308 Glenwood Street, was the subject of Use, Off-Site Parking, and Surfacing Variances approved in December 2018, allowing an automobile dealership office in a B-2 zoning district with gravel-surfaced, off-site parking.

In August 2024, the site was the subject of a Minor Subdivision to combine three (3) lots into a single legal lot of record. The resulting plat was subsequently recorded in the Mobile County Probate Court.

Most recently, at its meeting on December 2, 2024, the Board of Zoning Adjustment approved a Use Variance to allow a warehouse in a B-2, Neighborhood Business Urban District. Applications for the necessary permits were subsequently reviewed and approved by Planning and Zoning; however, the permits were not issued before the Use Variance expired.

## STAFF COMMENTS

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### 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 is requesting a Use Variance to allow a warehouse in a B-2, Neighborhood Business Urban District. Warehouses are not permitted in a B-2, Neighborhood Business Urban District under the Unified Development Code (UDC).

As justification for the request, the applicant states that the property is adjacent to areas designated as Traditional Mixed Use Corridor and across the street from an area designated as Traditional Center on the Future Land Use Map. It should be noted, however, that the subject site is designated Mixed Density Residential. The application and supporting documentation are available via the link on Page 1 of this report.

The submitted site plan depicts a 5,000-square-foot building containing 3,977 square feet of warehouse space and 1,023 square feet of office space, as well as a 570-square-foot greenhouse. The warehouse is proposed to support the adjacent landscaping supply business, which also sells seasonal plants and decorations.

A total of three (3) employees are expected to staff the warehouse and office from Wednesday through Sunday, with operations ending no later than 6:00 p.m. Customers are not expected to visit the subject site, as sales are conducted on the adjacent property.

A total of four (4) parking spaces are required: one (1) space per 400 square feet of office space and one (1) space per three (3) warehouse employees. Four (4) parking spaces are illustrated on the site plan, including one (1) van-accessible space. A space designated for a bicycle rack is also illustrated.

The site abuts residentially zoned property to the west. Accordingly, commercial development of the site must comply with the residential protection buffer requirements of Section 64-3-8 of the UDC. These requirements include a 10-foot-wide buffer (setback), a 6-foot-tall wall or privacy fence, and a 10-foot-wide screen planting strip. The site plan depicts compliance with the required residential protection buffer. No portion of the development may encroach into the required 10-foot buffer, including any portion of a building, parking space, walkway, or other site improvement.

The site plan also depicts compliance with the applicable tree planting and landscape area requirements. Additionally, a sidewalk is illustrated along Glenwood Street in compliance with the Subdivision Regulations and the City's Complete Streets Policy.

Additional justification for the request states that the property would retain its B-2 zoning classification, thereby limiting any future use of the property not specifically approved by the Use Variance to those uses permitted in a B-2 zoning district. The applicant contends that this would protect adjacent residential properties from businesses otherwise permitted in a B-3 zoning district.

It appears that the site has been used for commercial purposes for some time; however, the uses have historically been those permitted in a B-2 zoning district, including an office at 308 Glenwood Street and a former restaurant at 306 Glenwood Street.

As previously noted, a Use Variance was approved in 2018 to allow an automobile sales office at 308 Glenwood Street. However, the approval specifically prohibited automobiles from being located on the property. This is significant because automobile sales are permitted by right in a B-3 zoning district. The limitation of the approved use to an office suggests that the Board determined the area to be unsuitable for a more intensive use typically associated with a B-3 zoning district.

Although the subject property would retain its B-2 zoning classification if the present request is approved, the proposed warehouse would constitute a use more typically associated with a B-3 zoning district. Consequently, the proposed use would appear to undermine the applicant's justification that retaining the B-2 zoning classification would protect the surrounding area from B-3-type uses.

Additionally, the applicant has not provided evidence demonstrating why the property cannot be used in compliance with the use provisions of the UDC applicable to B-2 zoning districts. The site's history of commercial use in compliance with the applicable use regulations suggests that the property can be reasonably used without the requested variance and, therefore, that no hardship associated with the site has been demonstrated to justify development of a warehouse at this location.

However, the Board of Zoning Adjustment previously approved the same request, and the applicant has subsequently undertaken efforts to obtain the necessary development permits. Accordingly, the Board may determine that these circumstances warrant approval of the present request.

If approved, cross-access is proposed between the subject site and the adjoining property. A shared ingress/egress easement was recorded in 2025, and the applicable instrument, Instrument No. 2025063502, is referenced on the submitted site plan. Article 3, Section 64-3-4.B.1. of the UDC encourages shared access wherever possible and requires that appropriate legal instruments be used to establish such access. Accordingly, the shared access easement should continue to be referenced on all site plans submitted for review in association with the related development permits.

## VARIANCE CONSIDERATIONS

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### **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 Codes 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:

- 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.

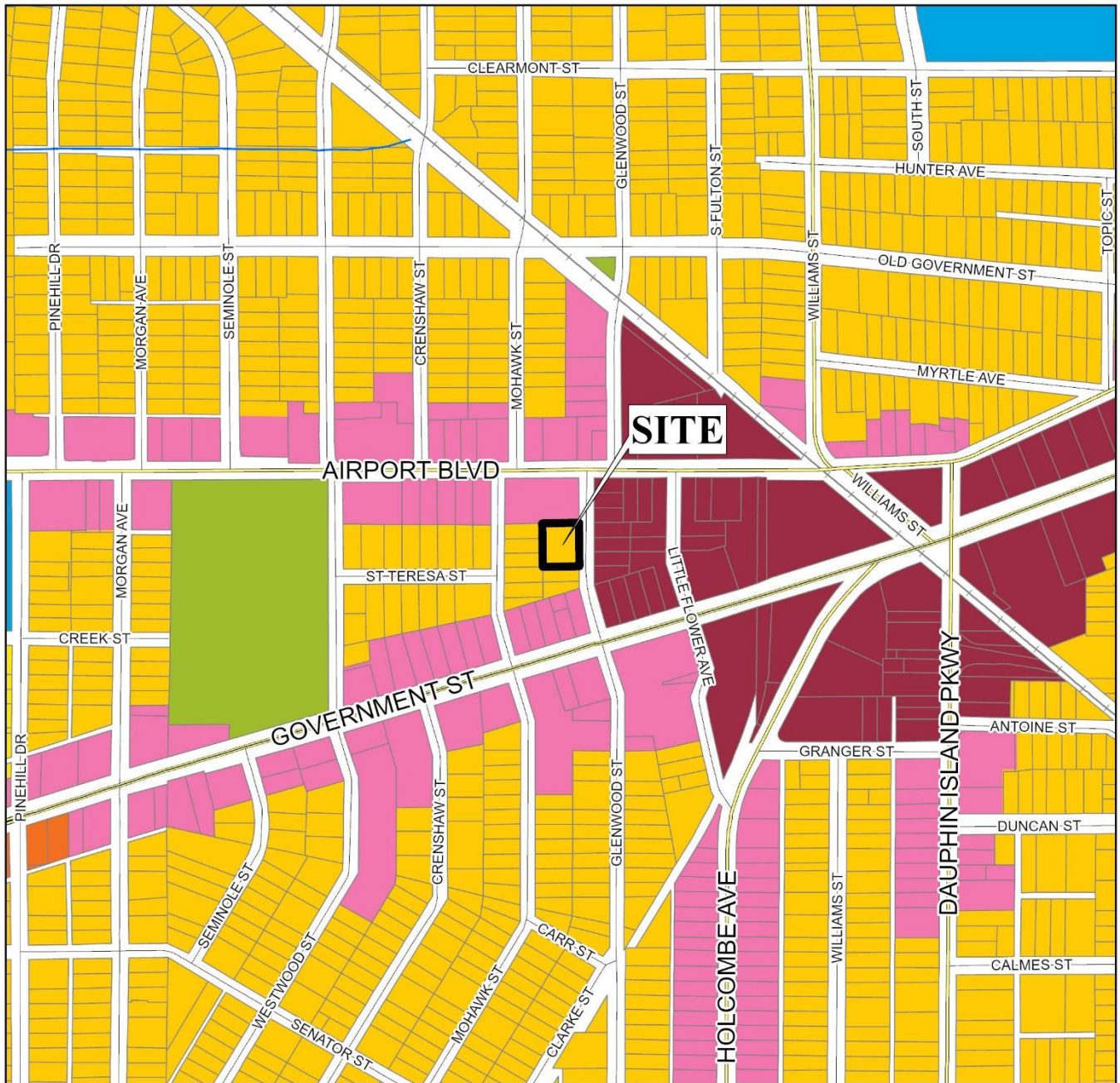
# LOCATOR ZONING MAP



APPLICATION NUMBER 6769 DATE August 3, 2026  
APPLICANT Dixie Designs, LLC  
REQUEST Use Variance



# FLUM LOCATOR MAP



APPLICATION NUMBER 6769 DATE August 3, 2026

APPLICANT Dixie Designs, LLC

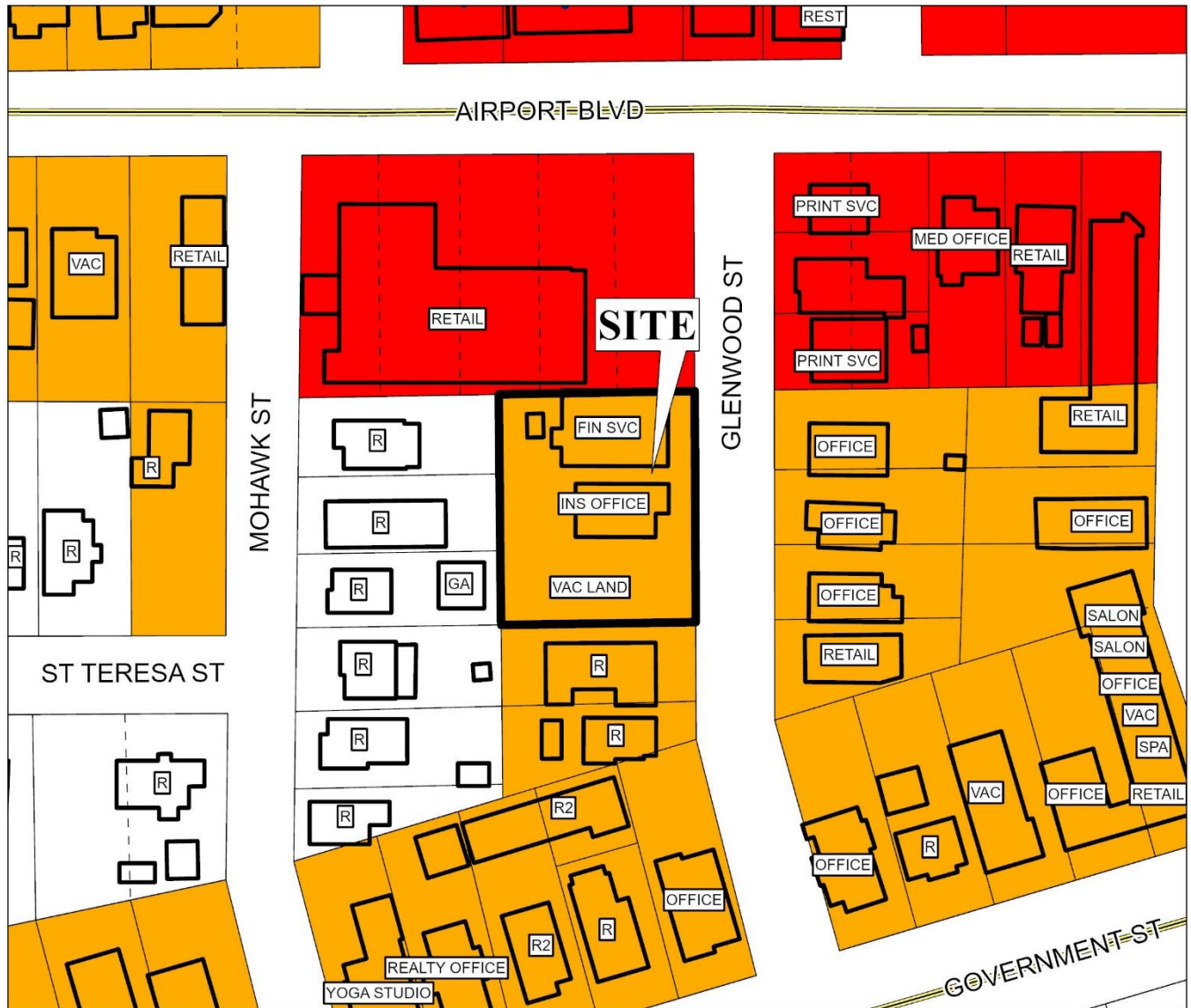
REQUEST Use Variance

- |                                                                                                                                                 |                                                                                                                                                         |                                                                                                                                             |                                                                                                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| <span style="display:inline-block; width:10px; height:10px; background-color:yellow; border:1px solid black;"></span> Low Density Residential   | <span style="display:inline-block; width:10px; height:10px; background-color:maroon; border:1px solid black;"></span> Neighborhood Center - Traditional | <span style="display:inline-block; width:10px; height:10px; background-color:lightgray; border:1px solid black;"></span> Light Industry     | <span style="display:inline-block; width:10px; height:10px; background-color:blue; border:1px solid black;"></span> Water Dependent |
| <span style="display:inline-block; width:10px; height:10px; background-color:orange; border:1px solid black;"></span> Mixed Density Residential | <span style="display:inline-block; width:10px; height:10px; background-color:purple; border:1px solid black;"></span> Neighborhood Center - Suburban    | <span style="display:inline-block; width:10px; height:10px; background-color:darkgray; border:1px solid black;"></span> Heavy Industry      |                                                                                                                                     |
| <span style="display:inline-block; width:10px; height:10px; background-color:pink; border:1px solid black;"></span> Downtown                    | <span style="display:inline-block; width:10px; height:10px; background-color:lightpink; border:1px solid black;"></span> Traditional Corridor           | <span style="display:inline-block; width:10px; height:10px; background-color:lightblue; border:1px solid black;"></span> Institutional      |                                                                                                                                     |
| <span style="display:inline-block; width:10px; height:10px; background-color:red; border:1px solid black;"></span> District Center              | <span style="display:inline-block; width:10px; height:10px; background-color:orange; border:1px solid black;"></span> Mixed Commercial Corridor         | <span style="display:inline-block; width:10px; height:10px; background-color:lightgreen; border:1px solid black;"></span> Parks, Open Space |                                                                                                                                     |



# BOARD OF ADJUSTMENT

## VICINITY MAP - EXISTING ZONING



The site is surrounded by residential and commercial units.

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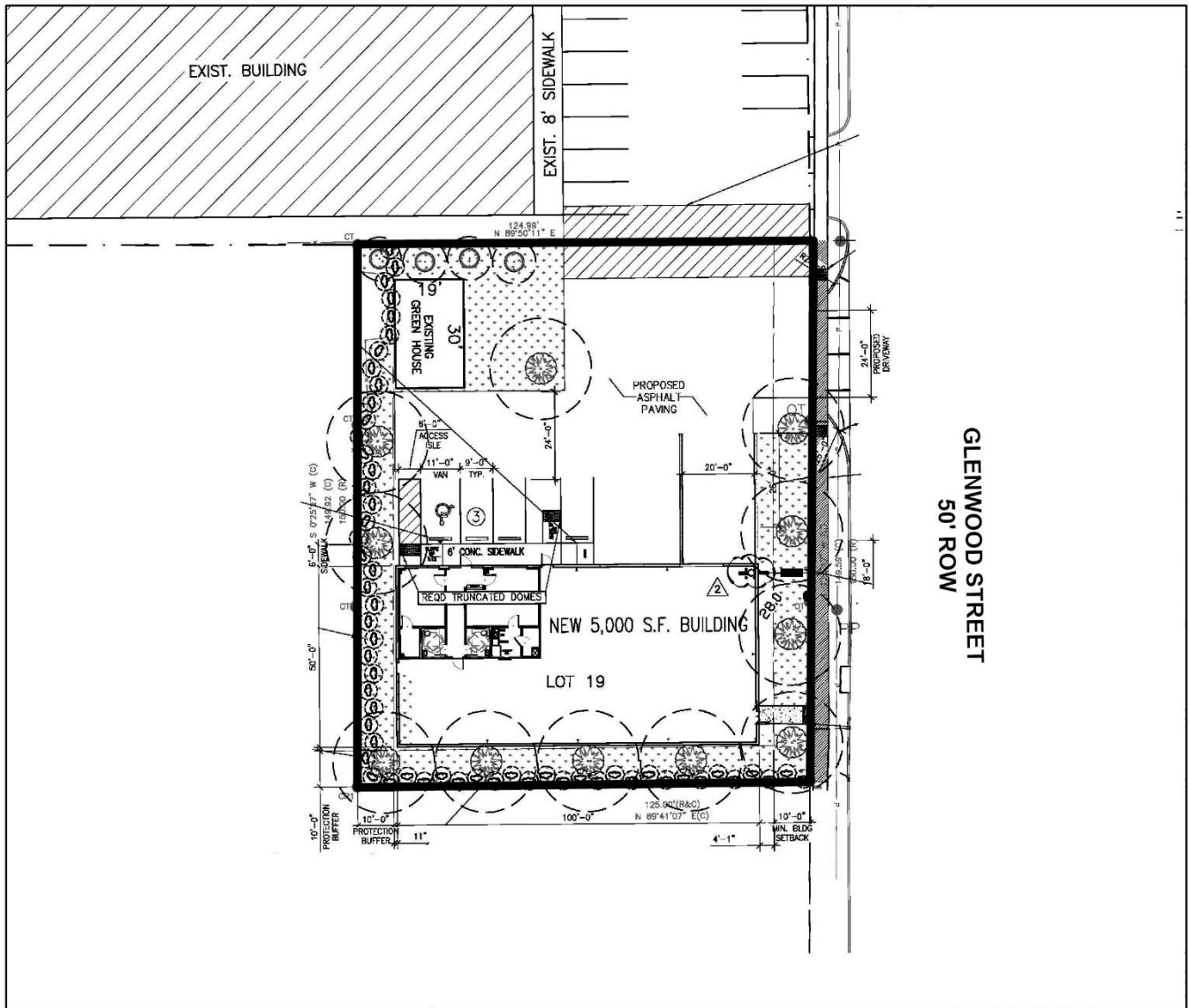
APPLICANT Dixie Designs, LLC

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

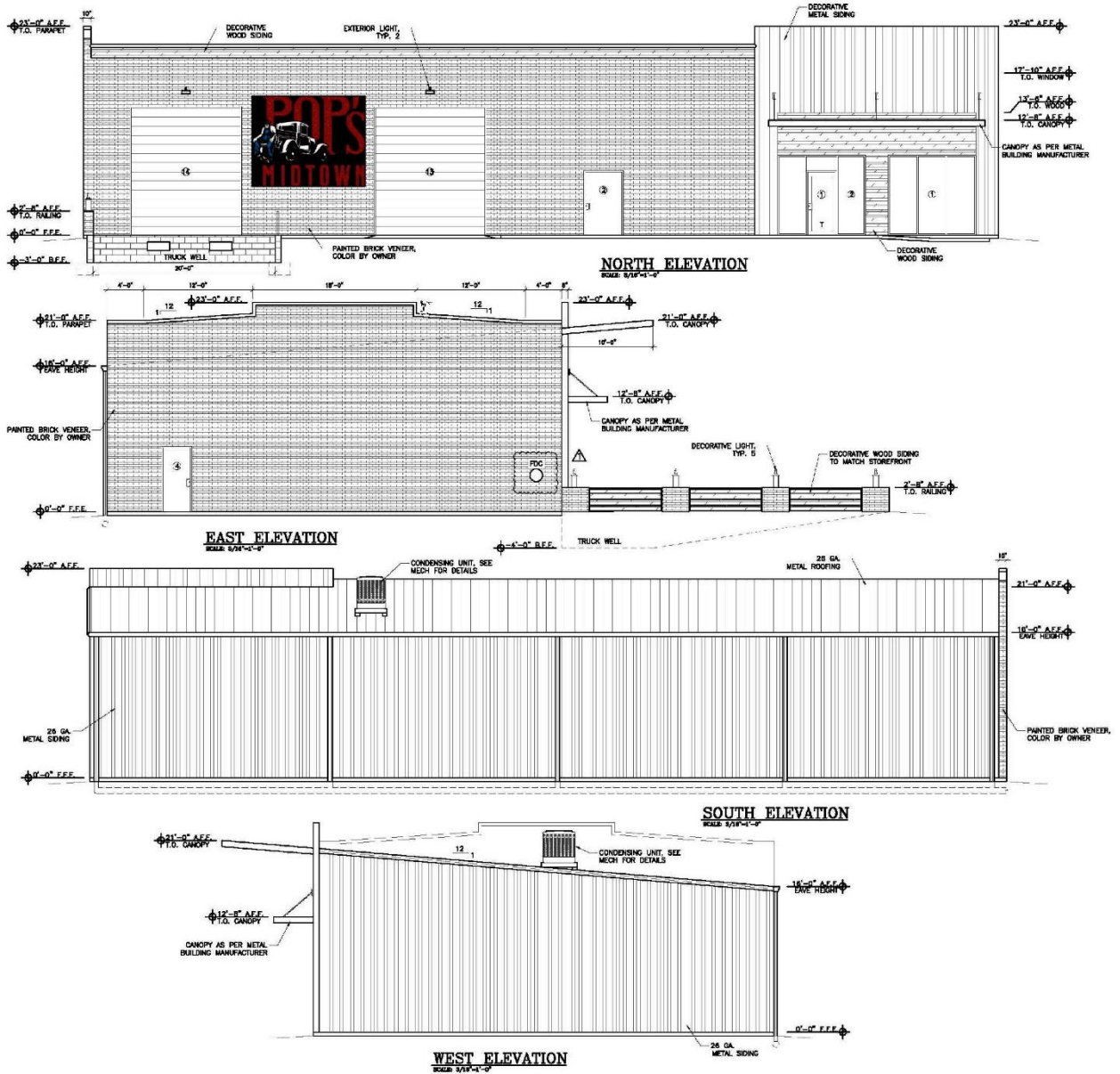


The site plan illustrates the proposed and existing buildings, as well as parking.

APPLICATION NUMBER 6769 DATE August 3, 2026  
 APPLICANT Dixie Designs, LLC  
 REQUEST Use Variance



## DETAIL SITE PLAN



APPLICATION NUMBER 6769 DATE August 3, 2026

APPLICANT Dixie Designs, 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]

## Residential Land Use Areas

### MIXED DENSITY RESIDENTIAL (MDR)

This designation applies mostly to residential areas located between Downtown and I-65, where the predominant character is that of a traditional neighborhood laid out on an urban street grid. These areas should offer a variety of residential types in a compact pattern at the scale of a single family neighborhood. They typically have a walkable block pattern with integrated neighborhood amenities such as parks and schools. Small office, commercial, and civic uses may also exist in these areas near major thoroughfares. Residential density ranges between 6 and 30 dwelling units per acre (du/ac) depending on the mix, types, and locations of the housing as specified by zoning.

#### Development Intent

- Continue historic preservation efforts to maintain the existing neighborhood character within city-designated historic districts.
- Support residential infill that fits-in with neighboring homes (building scale, placement, etc.). Support more intense residential infill and redevelopment adjacent to commercial or mixed use centers.

#### Land use mix

##### Primary Uses

- Residential, Single family
- Residential, Attached

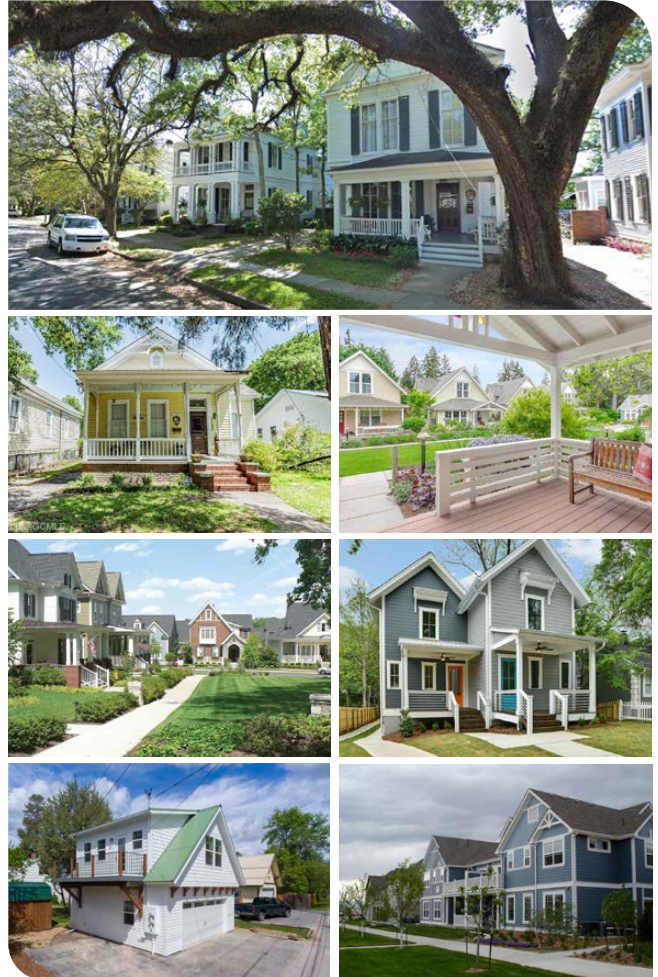
##### Secondary Uses

- Residential, Multifamily
- Commercial
- Civic
- Parks

#### Housing mix

- Single family on small to medium sized lots
- Attached residential such as duplexes, multiplexes, and townhomes
- Small scale multifamily buildings

#### Character Example



A mixed density neighborhood may include a range of housing types and densities at a similar scale.

Rendering: Dover Kohl