



Agenda Item # 5

BOA-SE-003449-2025

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

316 Dauphin Street

Applicant / Agent:

Mary Daffin (Robert Maurin, Agent)

Property Owner:

Nobles Group Homes, Inc.

Current Zoning:

T-5.1 Sub-District of the Downtown Development District

Future Land Use:

Downtown

Case Number:

6700

Unified Development Code (UDC) Requirement:

- The Unified Development Code (UDC) requires a Special Exception approval to allow an event venue with an occupant load over 100 people in a T-5.1 Sub-District of the Downtown Development District.

Board Consideration:

- Special Exception approval to allow an event venue with an occupant load of 270 people in a T-5.1 Sub-District of the Downtown Development District.

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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial units.

APPLICATION NUMBER	6700	DATE	October 6, 2025
APPLICANT	Mary Daffin (Robert Maurin, Agent)		
REQUEST	Special Exception		



SITE HISTORY

In January 2014, the City Council rezoned the site from B-4 to T-5.1, with the adoption of the Downtown Development District.

There have been no Planning Commission or Board of Zoning Adjustment applications 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 Appendix A, Section 9.C 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 has requested a Special Exception approval to allow an event venue with an occupant load of 270 people in a T-5.1 Sub-District of the Downtown Development District (DDD); the Unified Development Code (UDC) requires Special Exception approval to allow an event venue with an occupant load over 100 people in a T-5.1 Sub-District of the DDD.

The complete application is available via the link on page 1.

The subject site currently has an existing structure, with no enlargement proposed. In March 2020, a building permit was issued to allow the conversion of the structure from a church (which existed prior to the adoption of the DDD in 2014) to a delivery service at the subject site. In May 2025, Planning & Zoning staff denied a building permit application for a change in occupancy from the delivery service to an assembly space with an occupant load exceeding 100 people, and made the applicant aware of the need for a Special Exception for the increased occupant load requested. It should be noted that the subject site is located inside of an Entertainment District.

The applicant is not proposing any exterior alterations to the site, making an application to the Consolidated Review Committee (CRC) unnecessary, with the exception of any signage that may be desired. Signage will also be required to obtain a Certificate of Appropriateness (COA) by the Architectural Review Board (ARB) prior to the issuance of any sign permits.

The properties surrounding the subject site are all zoned T-5.1, with an office to the West and the former Spot of Tea to the East. The Spot of Tea space has an occupant load of 421 that existed prior to the adoption of the DDD in 2014, therefore did not require any approvals. There are on-street parking spaces available nearby, as well as a parking lot to the North of the subject site.

SPECIAL EXCEPTION CONSIDERATIONS

Standards of Review:

Special Exceptions are those uses that may have some special impact which differs from the potential impacts of permitted uses, exceeds permitted uses in intensity, or have a uniqueness such that their effect on the surrounding environment cannot readily be determined in advance of the use being proposed in a particular location.

Article 5 Section 11-E.1. of the Unified Development Code states the Board of Adjustment will not approve an Application for Special Exception unless the request complies with the following criteria:

- (a) The proposed use is in harmony with the general purpose, goals, objectives and standards of this Chapter, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City.
- (b) The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety and general welfare either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of this Chapter, or any other plan, program, map, or

ordinance adopted, or under consideration pursuant to official notice, by the City or other governmental agency having jurisdiction to guide growth and development.

- (c) The proposed use will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, and services specified in this subsection. Where any such improvements, facilities, utilities or services are not available or adequate to service the proposed use in the proposed location, the Applicant shall, as part of the application and as a condition to approval of the proposed Special Exception permit, be responsible for establishing ability, willingness and commitment to provide such improvements, facilities, utilities and services in sufficient time and in a manner consistent with this Chapter, and other plans, programs, maps and ordinances adopted by the City to guide its growth and development. The approval of the Special Exception Permit shall be conditioned upon such improvements, facilities, utilities and services being provided and guaranteed by the Applicant.
- (d) The proposed use is consistent with all applicable requirements of this Chapter, including:
 - (1) Any applicable development standards in Article 3; and
 - (2) Any applicable use regulations in Article 4.
- (e) The proposed use is compatible with the character of the neighborhood within the same zoning district in which it is located;
- (f) The proposed use will not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district; and
- (g) The proposed use will have no more adverse effects on health, safety or comfort of persons living or working in the neighborhood, or will be no more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district.
 - (1) In making this determination, the Board of Adjustment shall consider:
 - a. The location, type and height of buildings or structures;
 - b. The type and extent of landscaping and screening;
 - c. Lighting;
 - d. Hours of operation; or
 - e. Other conditions that might require mitigation of any adverse impacts of the proposed development.
- (h) The site is designed to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads.
- (i) The site is designed to minimize the impact on storm water facilities.
- (j) The use will be adequately served by water and sanitary sewer services.
- (k) The use is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
- (l) The use will not be detrimental or endanger the public health, safety or general welfare.

Article 5 Section 11-E.2. states; that when considering a Special Exception application, the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request should also be evaluated.

Additionally, Article 5, Section 11-E.3. states:

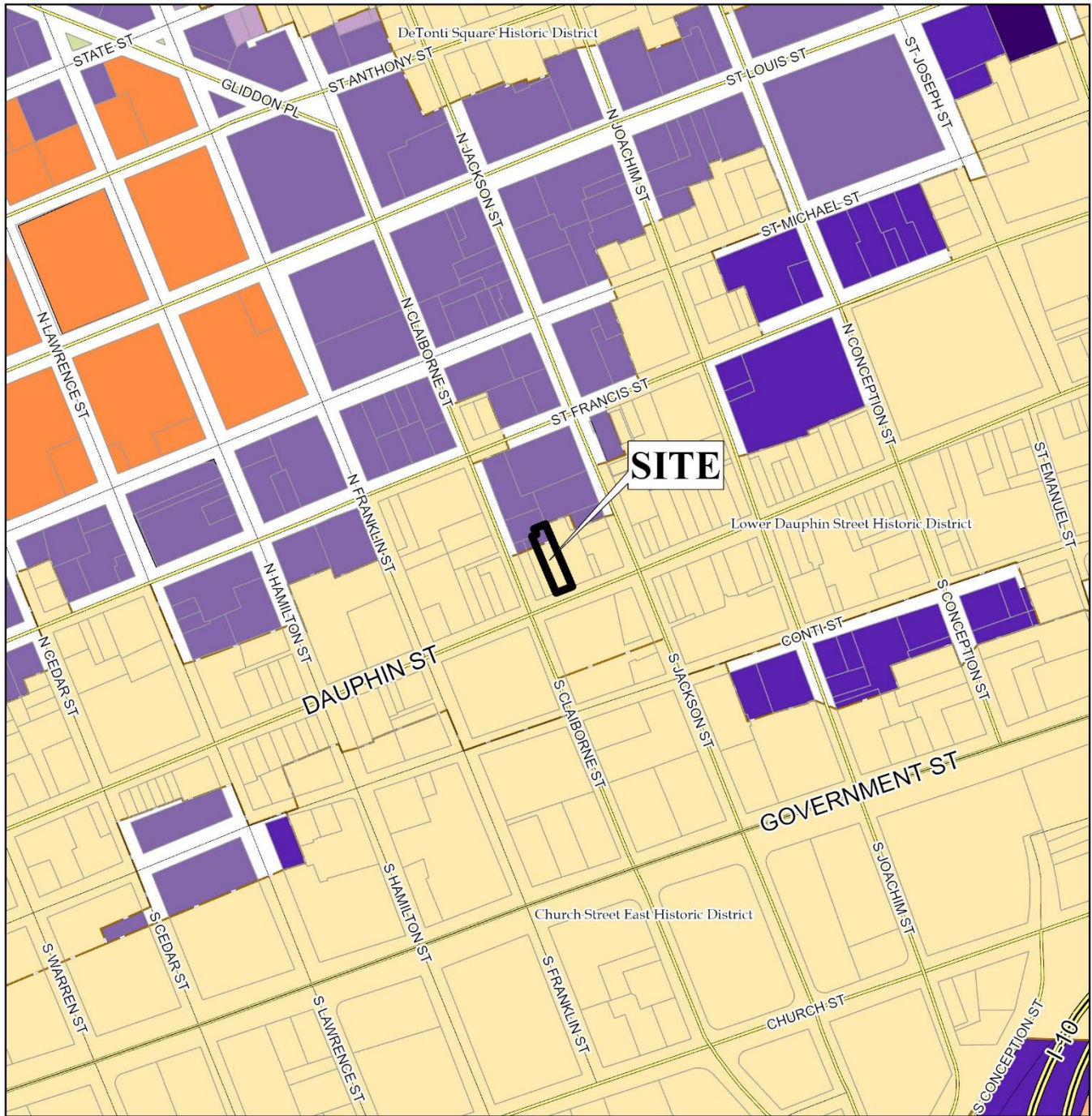
The Board of Adjustment shall give careful consideration to the warrants and criteria set forth in this section in judging applications for Special Exceptions involving the following uses. In granting a Special Exception, the board may attach such reasonable conditions and safeguards in addition to those set forth in this section, as it may deem necessary to implement the purposes of this Chapter.

Considerations:

Based on the requested Special Exception application, if the Board considers approval of the request, the following findings of fact must be present:

- A) The proposed use **is** in harmony with the general purpose, goals, objectives and standards of this Chapter, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City.
- B) The proposed use at the proposed location **shall not** result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety and general welfare either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of this Chapter, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City or other governmental agency having jurisdiction to guide growth and development.
- C) The proposed use **will** be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, and services specified in this subsection.
- D) The proposed use **is** consistent with all applicable requirements of this Chapter, including: any applicable development standards in Article 3; and any applicable use regulations in Article 4.
- E) The proposed use **is** compatible with the character of the neighborhood within the same zoning district in which it is located.
- F) The proposed use **will not** impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.
- G) The proposed use **will** have no more adverse effects on health, safety or comfort of persons living or working in the neighborhood, or will be no more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district.
- H) The site **is** designed to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads.
- I) The site **is** designed to minimize the impact on storm water facilities.
- J) The use **will** be adequately served by water and sanitary sewer services.
- K) The use **is not** noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
- L) The use **will not** be detrimental or endanger the public health, safety or general welfare.

LOCATOR ZONING MAP



APPLICATION NUMBER 6700 DATE October 6, 2025

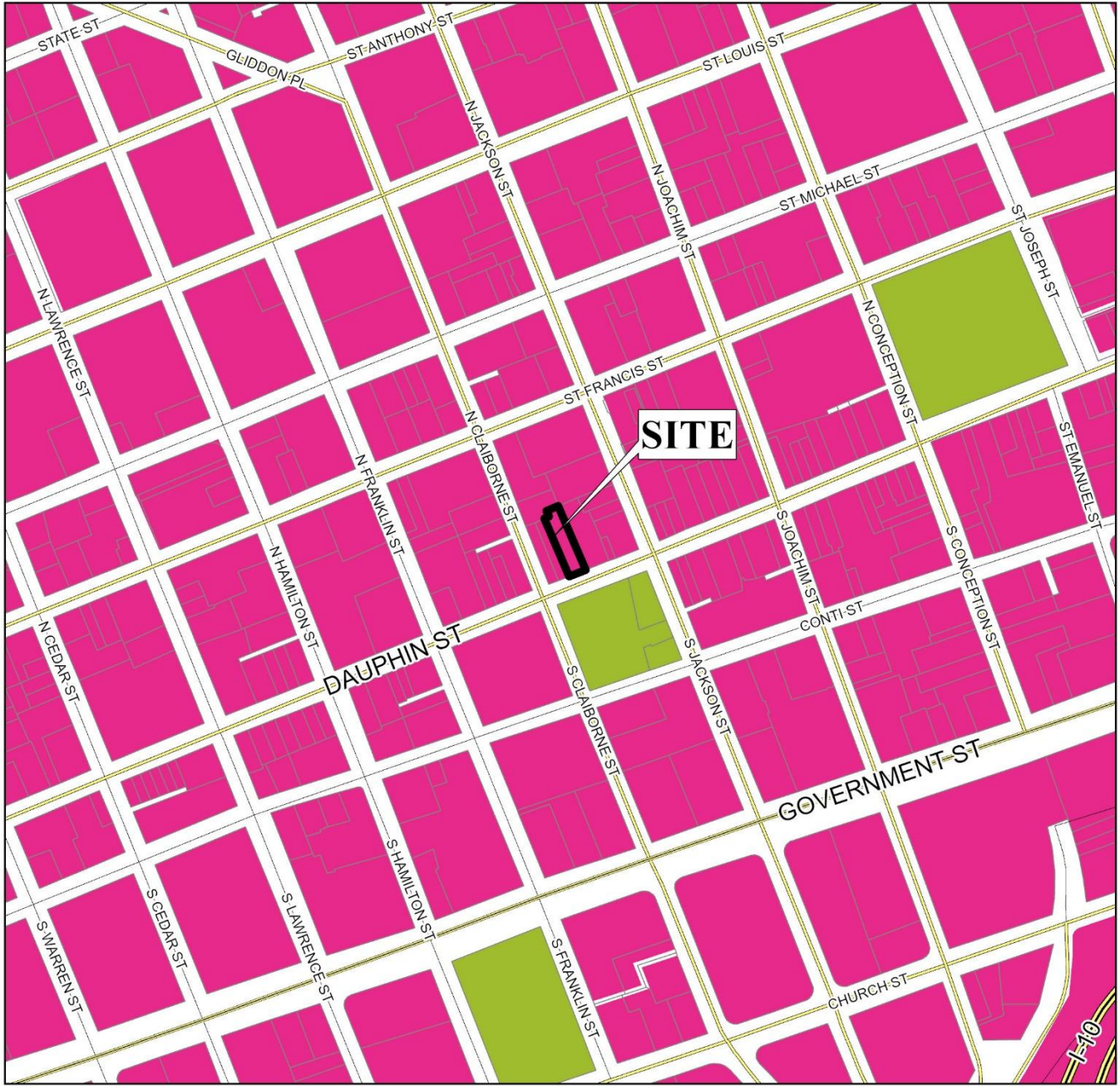
APPLICANT Mary Daffin (Robert Maurin, Agent)

REQUEST Special Exception



NTS

FLUM LOCATOR MAP



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 REQUEST Special Exception

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



The map illustrates the Lower Dauphin Street Precinct, a neighborhood in New Orleans. The central focus is the 'SITE' located at the corner of N Claiborne St and Dauphin St. Surrounding this site are various other buildings and streets. To the north, N Jackson St runs parallel to N Claiborne St, with buildings labeled 'OFFICE', 'EVENT HALL', 'CHURCH', 'REST', 'VAC', 'R2', 'APTS', and 'LOUNGE'. To the west, N Franklin St runs parallel to N Claiborne St, with buildings labeled 'LOUNGE', 'LOUNGE', 'OFFICE', 'RECEPTION HALL', 'WHSE', 'R', 'APTS', 'RETAIL', and 'VAC'. To the south, S Franklin St runs parallel to N Claiborne St, with buildings labeled 'RETAIL', 'VAC', 'VAC', and 'VAC'. To the east, N Jackson St continues, with buildings labeled 'REST', 'LOUNGE', 'REST', 'LOUNGE', 'REST', 'LOUNGE', 'REST', 'LOUNGE', 'RETAIL', 'LOUNGE', 'LOUNGE', 'LOUNGE', 'OFFICE', 'FOOD COURT', 'REST', 'LOUNGE', 'RECTORY', and 'ART GALLERY'. The map also shows the intersection of Dauphin St and Conti St, with buildings labeled 'CHURCH', 'CATHEDRAL SQUARE', and 'ART GALLERY'. A green dashed line outlines the 'CATHEDRAL SQUARE' area. The map is titled 'Lower Dauphin Street Precinct' and 'MOBILE ARTS COUNCIL'.

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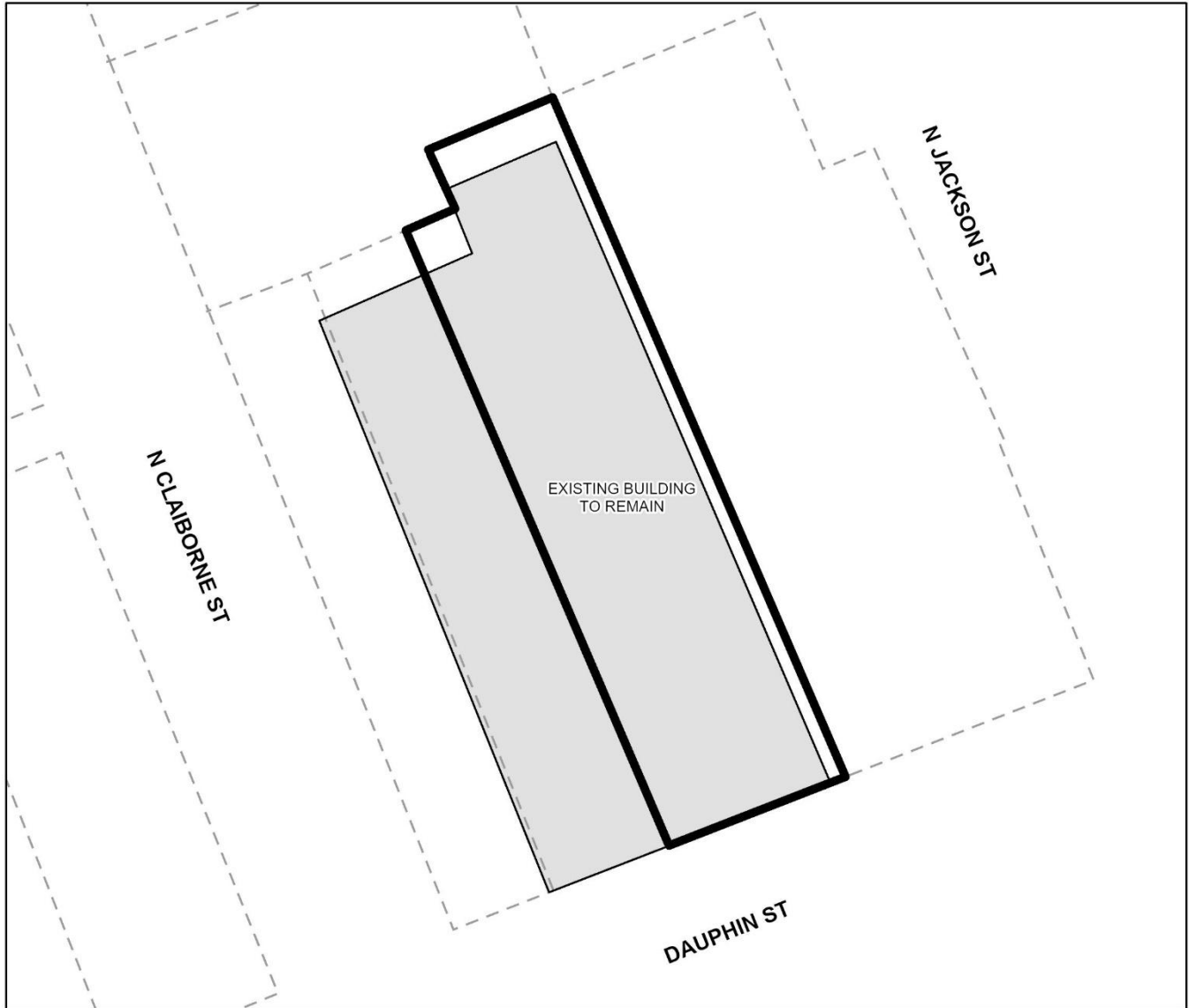
 R-A
  R-3
  B-1
  B-2
  B-5
  ML
  I-2
  OPEN
  T-3
  T-5.2

 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

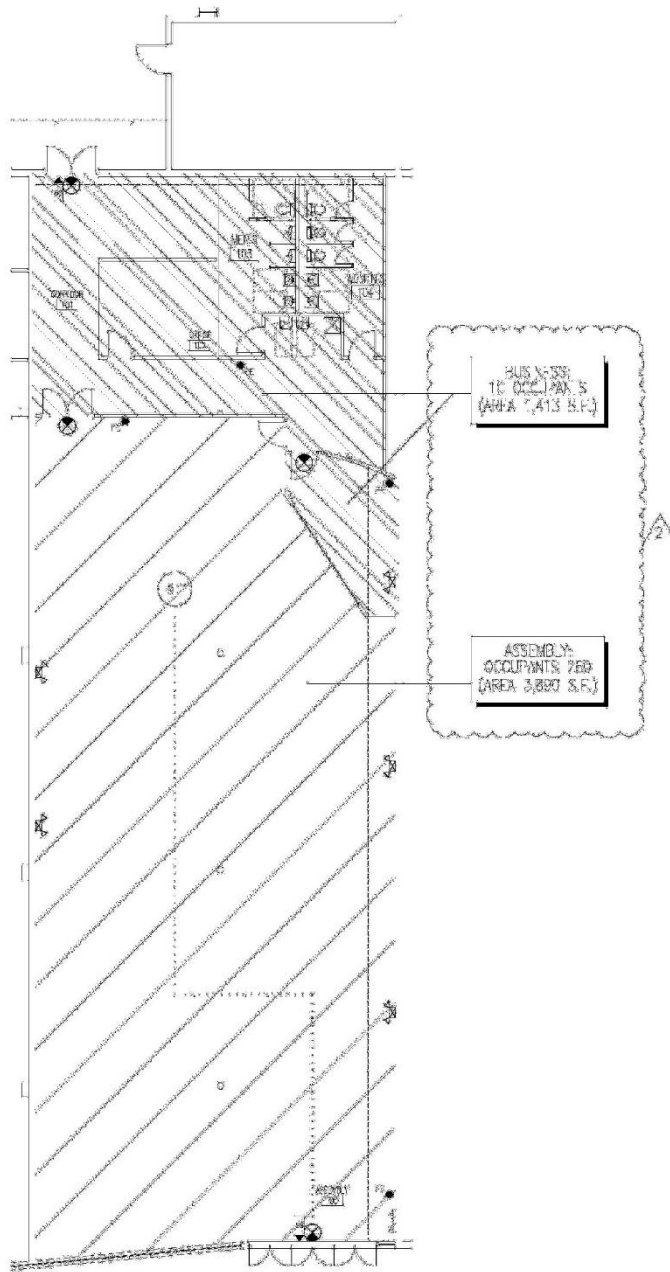


The site plan illustrates the current building.

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DETAIL SITE PLAN



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REQUEST Special Exception



NTS

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)



DOWNTOWN (DT)

Downtown is called out as a separate land use designation due to its distinct role, layout and fabric.

As a land use district, Downtown is the ultimate mixed-use environment. Land development and redevelopment will emphasize variety, mixed uses, and unity of form within buildings or complexes.

As the City's and region's center for commercial and service employment, Downtown supports intense development and a dynamic combination of uses: specialty and regional retail shopping and offices; business support services; urban housing at higher densities (starting at 10 du/ac); civic, educational and cultural destinations; entertainment options; and other public amenities including active and passive park space. The successful integration of a mix of housing types and densities will be critical to achieve a vibrant, 24/7, active Downtown Mobile.

Development in the DT district will focus on new, redeveloped and adaptively reused buildings that frame attractive, human-scaled streetscapes, memorable public spaces, bicycle and pedestrian-friendly streets and convenient transit access to jobs, housing and entertainment. Accordingly, certain areas of Downtown will be more intensively developed to facilitate that pedestrian orientation.