



Agenda Item # 7
BOA-003707-2026

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

6368 Cottage Hill Road

Applicant / Agent:

Winnie’s Play Café, LLC

Property Owner:

Carriage Town, LLC

Current Zoning:

B-2, Neighborhood Business Suburban District

Future Land Use:

Neighborhood Center – Suburban

Case Number(s):

6750

Unified Development Code (UDC) Requirement:

- The UDC does not allow an indoor recreation facility in a B-2, Neighborhood Business Suburban District.

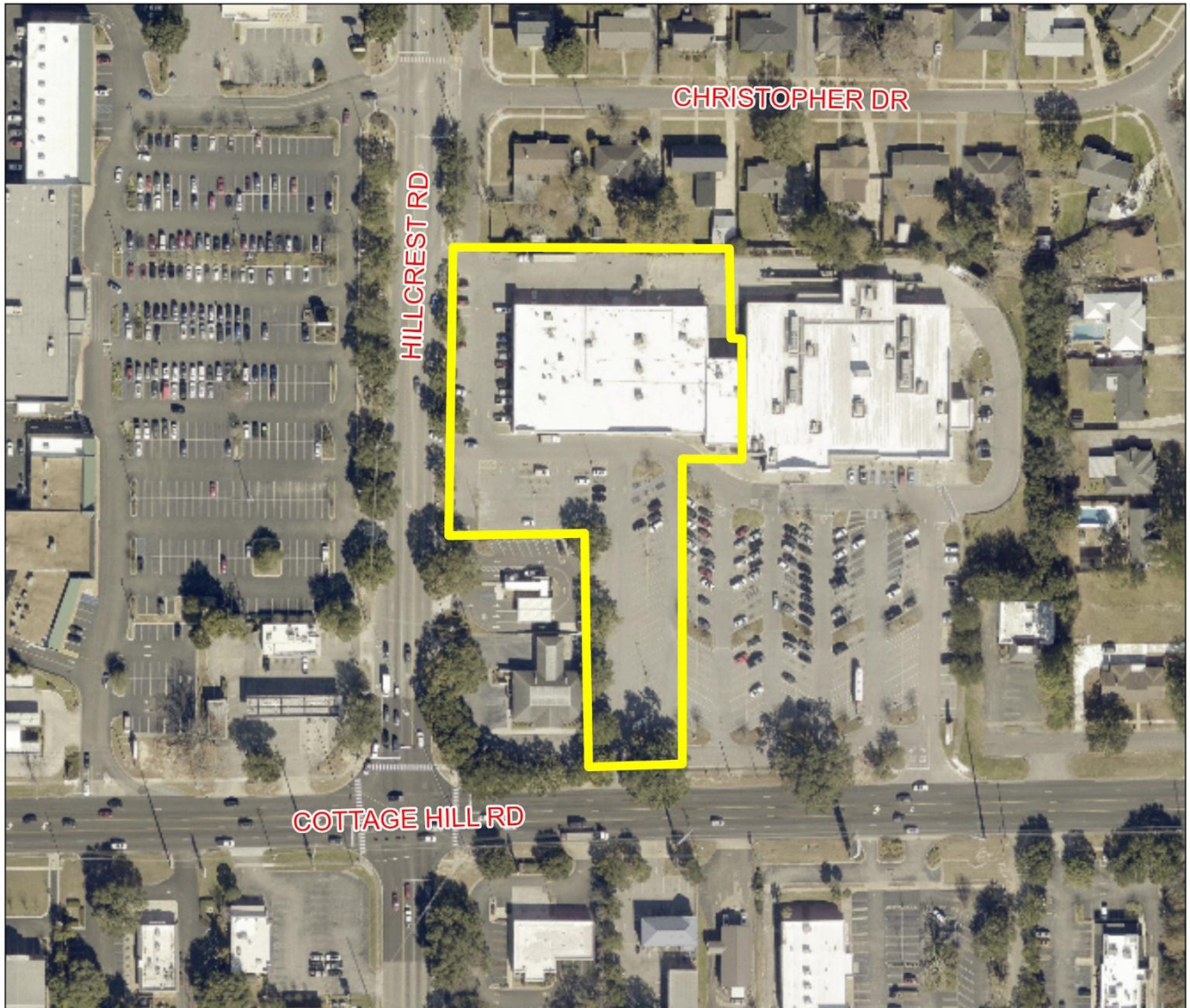
Board Consideration:

- Use Variance to allow an indoor recreation facility in a B-2, Neighborhood Business Suburban District.

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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial and residential units.

APPLICATION NUMBER	6750	DATE	May 4, 2026
APPLICANT	Winnie's Play Cafe LLC		
REQUEST	Use Variance		



SITE HISTORY

The subject site was annexed in 1956 and initially zoned R-A, Residence-Agricultural District. In February 1972, the City Council approved its rezoning to B-2, Neighborhood Business District, a designation that remained in place through the adoption of the Unified Development Code (UDC) in 2022.

In May 1998, the Planning Commission approved a two-lot subdivision of the property, which was subsequently recorded in the Mobile County Probate Court as *Carriage Towne Subdivision*. Both lots were developed for commercial use, with Lot 1 being improved as a multi-tenant building.

In 2004, the site received Administrative Planned Unit Development (PUD) approval to allow construction of a small snow-cone stand. This approval enabled a multi-building development with shared access and parking.

In January 2007, Lot 1 of the Carriage Towne Subdivision was further subdivided into two lots, recorded as *The Resubdivision of Lot 1, Carriage Towne Subdivision*. A concurrent PUD approval allowed a building addition to extend onto the newly created Lot 2, with shared access and parking between the two lots.

In February 2026, the applicant submitted a Zoning Clearance request to obtain a business license for Winnie's Play Café. The request was denied because the proposed use as an indoor recreational facility is not permitted in the B-2 zoning district.

There are no additional Planning Commission cases or any prior Board of Zoning Adjustment cases associated with the site.

STAFF COMMENTS

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 requests a Use Variance to allow an indoor recreational facility in a B-2, Neighborhood Business Suburban District. The Unified Development Code (UDC) does not permit this use in the B-2 district.

In support of the request, the applicant contends that Winnie's Play Café is a low-intensity, family-oriented use compatible with the surrounding commercial area and consistent with the goals of *Map for Mobile*, providing a community amenity that supports quality of life, small business development, and neighborhood activity. The application and supporting documentation are available via the link on Page 1 of this report.

The business is described as a hybrid café and indoor play space for young children, with parents required to remain on site. The applicant states that the operation is low impact, with minimal noise, traffic, and external effects, and is more comparable to a retail or café use than a traditional indoor recreational facility. The applicant further argues that the UDC's definition of "indoor recreational facility" is overly broad and does not accurately reflect the proposed use.

A hardship is cited in that the UDC does not include a zoning classification that clearly accommodates the applicant's business model. While the use shares some characteristics with a daycare, it does not meet that definition due to the lack of custodial care. As such, the applicant argues that strict application of the UDC limits reasonable use of the property despite its compatibility with surrounding commercial development.

Based on the information provided and publicly available materials, the business operates primarily as an indoor play facility offering open play, memberships, and private event rentals. The principal function is fee-based recreational activity available to the public.

Per the UDC, indoor recreational facilities are defined as buildings principally devoted to recreational or leisure activities conducted indoors. Given the admission-based play and event hosting, the proposed use is most consistent with this definition. Limited educational offerings appear incidental and do not alter the classification, and, as mentioned, the use does not meet the definition of a daycare.

The applicant states that the tenant space previously accommodated a similar recreational use. Staff research indicates that a business known as "House of Bounce" operated at this location and appeared to offer indoor recreational activities; however, no record of zoning approval was found. The most recent Zoning Clearance issued for the space was for retail antiques sales, which is permitted by right in a B-2 district.

While the prior recreational use does not appear to have been legally established, Staff is not aware of any complaints or enforcement actions associated with that operation. The absence of such records suggests it did not generate noticeable adverse impacts and may indicate the proposed use could operate similarly.

However, approval of a Use Variance for an indoor recreational facility in a B-2 district may establish a precedent for future requests, including more intensive uses with greater potential impacts related to traffic, noise, and compatibility. The Board should consider whether the applicant has demonstrated sufficient hardship and whether the request is appropriate given the intent of the B-2 district and the potential implications of such precedent.

It should be noted that the proposed use may constitute a change of occupancy, as the most recently approved use of the tenant space as retail differs from an assembly-type use. This change may trigger compliance with applicable Fire Code, Building Code, and other regulatory requirements. As such, if the variance request is approved, the applicant should coordinate with the Inspection Services Department to determine whether additional permits or modifications are necessary to ensure the space meets all safety requirements for the proposed use.

Finally, it should be noted that several signs advertising “Winnie’s Play Café” were installed without the required Sign Permits or any associated Electrical Permits. If approved, the applicant must obtain all required permits. Permits for internally illuminated signs must be secured by a licensed and bonded Sign Contractor.

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:

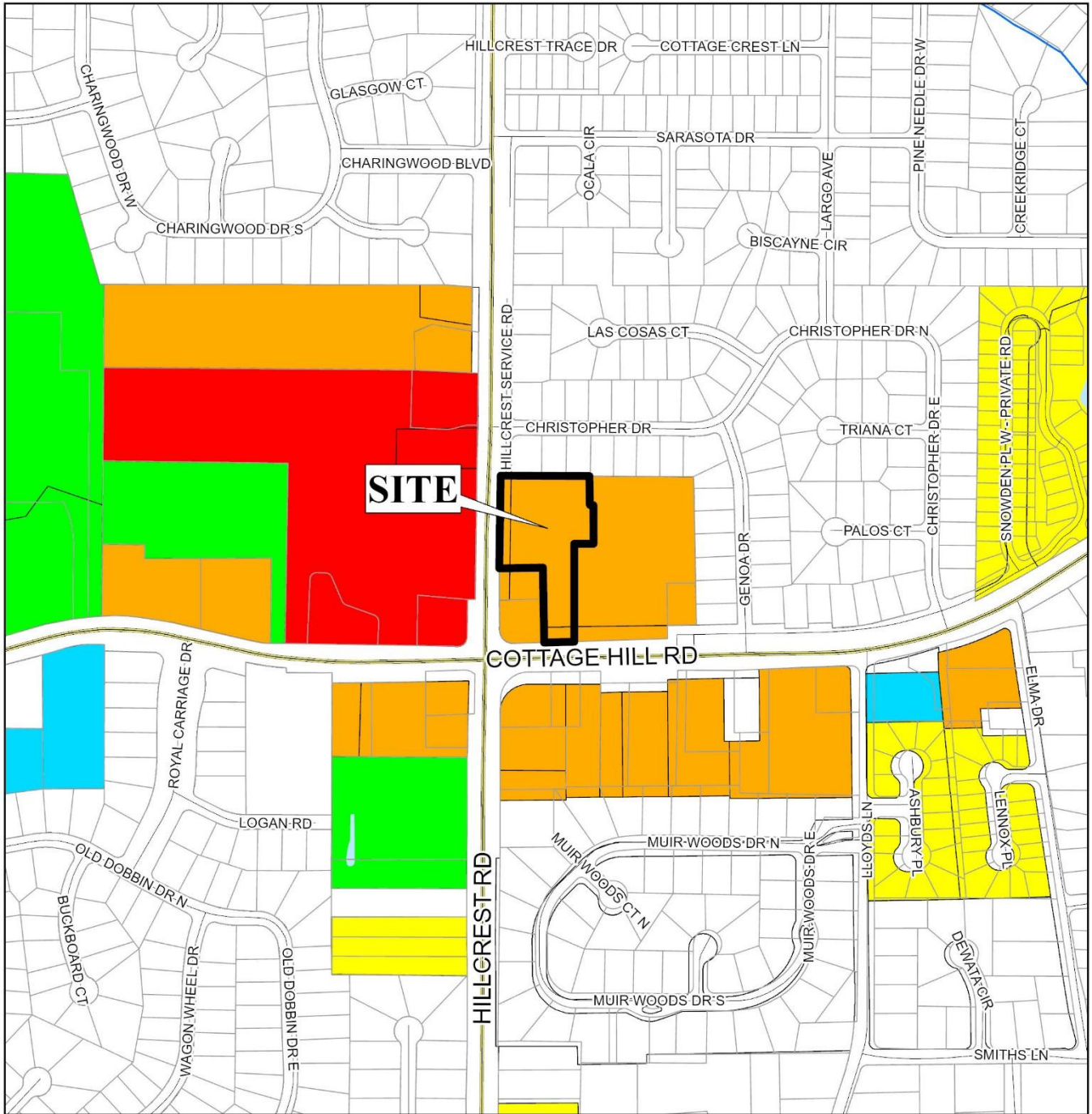
Based on the requested Variance application and documentation submitted, if the Board considers approval of the request, the following findings of fact must be presented:

- 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.

If approved, the following conditions should apply:

- 1) Obtain any/all required permits and inspections necessary to authorize use of the tenant space as an indoor recreational facility, in coordination with the Inspection Services and Permitting Departments;
- 2) Obtain Sign Permits from the Planning and Zoning Department for all installed signage; and
- 3) Fully comply with all other codes and ordinances.

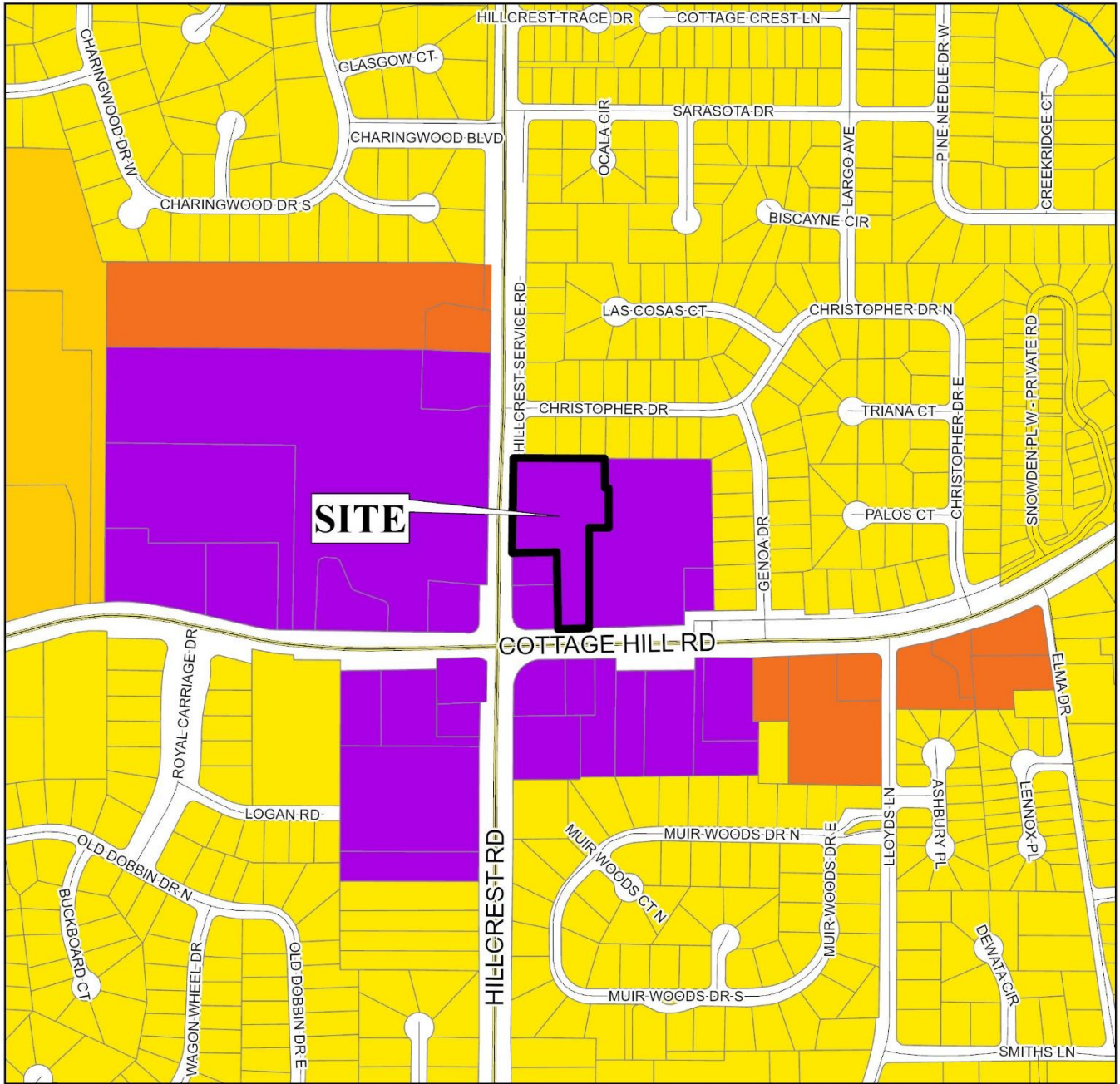
LOCATOR ZONING MAP



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FLUM LOCATOR MAP



APPLICATION NUMBER 6750 DATE May 4, 2026

APPLICANT Winnie's Play Cafe LLC

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 | |



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial and residential units.

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<table style="width: 100%; font-size: small;"> <tr> <td> R-A</td> <td> R-3</td> <td> B-1</td> <td> B-2</td> <td> B-5</td> <td> ML</td> <td> I-2</td> <td> OPEN</td> <td> T-3</td> <td> T-5.2</td> </tr> <tr> <td> R-1</td> <td> R-B</td> <td> T-B</td> <td> B-3</td> <td> CW</td> <td> MH</td> <td> PD</td> <td> SD</td> <td> T-4</td> <td> T-6</td> </tr> <tr> <td> R-2</td> <td> H-B</td> <td> LB-2</td> <td> B-4</td> <td> MM</td> <td> I-1</td> <td> MUN</td> <td> SD-WH</td> <td> T-5.1</td> <td></td> </tr> </table>				 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	
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SITE PLAN



The site plan illustrates the proposed building location, parking and drives.

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