



## Agenda Item # 8

### BOA-003403-2025

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

[Applicant Materials for Consideration](#)

## DETAILS

**Location:**

Southeast corner of St. Louis Street and North Claiborne Street

**Applicant / Agent:**

RGH (Stephen Howle, Agent)

**Property Owner:**

RGH

**Current Zoning:**

T-5.1 Sub-District of the Downtown Development District

**Future Land Use:**

Downtown

**Case Number(s):**

6689

**Unified Development Code Requirement:**

- The Unified Development Code (UDC) limits developments to one (1) curb cut per street frontage, requires developments to use an “A” street as the primary frontage, limits address numbers to a maximum of one (1) square foot, requires all building materials to be compliant, and requires one (1) of seven (7) frontage types in a SD-WH Sub-District of the Downtown Development District.

**Board Consideration:**

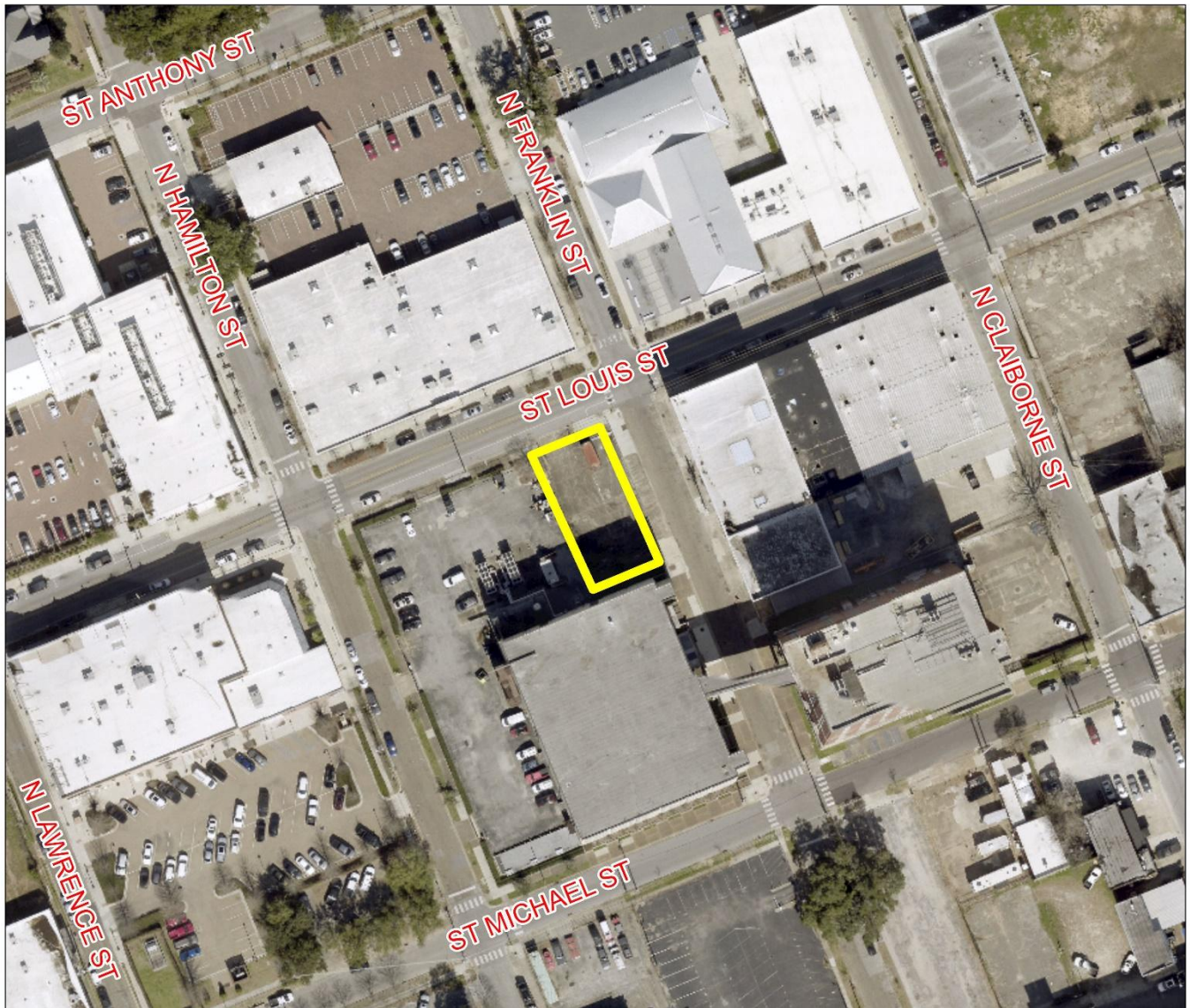
- Curb Cut Number, Building Orientation, Signage, Material, and Frontage Type Variances to allow three (3) curb cuts to North Franklin Street, to allow the proposed building to utilize a “B” street as the primary frontage, to allow an address number exceeding one (1) square foot, to allow non-compliant materials for garage doors, and to have non-compliant frontage types in a SD-WH sub-district in the Downtown Development District.

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# BOARD OF ADJUSTMENT

## VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial units.

APPLICATION NUMBER 6689 DATE August 4, 2025  
 APPLICANT RGH (Stephen Howle, Agent)  
 REQUEST Curb Cut Number, Building Orientation, Signage, Material, and Frontage Type Variances



## SITE HISTORY

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The site was previously zoned B-4, General Business District prior to the adoption of the Downtown Development District (DDD) in 2014, when the site was rezoned to SD-WH Sub-District of the Downtown Development District.

There have been no previous Planning Commission or Board of Zoning Adjustment applications for this site.

## STAFF COMMENTS

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### Engineering Comments:

No comments to the proposed variance; however, according to the submitted plans, the proposed project will require a Land Disturbance Permit. The applicant will need to have the following conditions met:

1. The proposed site improvements will require a Land Disturbance Permit be submitted through the CSS Portal.
2. The existing drainage patterns and surface flow characteristics should not be altered so as to have a negative impact on any adjoining properties or any public rights-of-way.
3. Any and all proposed land disturbing activity within the property will need to be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules for Erosion and Sedimentation Control and Storm Water Runoff Control.
4. Applicant agrees to install adequate BMPs during construction to protect from sediment/pollutants leaving the site
5. The proposed site is located within the X(S) FEMA Flood Zones. No filling is allowed within the SFHA without providing a "No-Rise" Certification from a licensed Alabama Professional Engineer.

Additionally, it appears that there are proposed structures to be placed within the public Right of Way. Contact the Engineering Dept. to discuss requesting a Non-Utility Use Agreement with the City, this agreement must be approved prior to the issuance of any Land Disturbance permits.

### 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 is requesting Curb Cut Number, Building Orientation, Signage, Material, and Frontage Type Variances to allow three (3) curb cuts to North Franklin Street, to allow the proposed building to utilize a “B” street as the primary frontage, to allow an address number exceeding one (1) square foot, to allow non-compliant materials for garage doors, and to have non-compliant frontage types in a SD-WH sub-district in the Downtown Development District; the Unified Development Code (UDC) limits developments to one (1) curb cut per street frontage, requires developments to use an “A” street as the primary frontage, limits address numbers to a maximum of one (1) square foot, requires all building materials to be compliant, and requires one (1) of seven (7) frontage types in a SD-WH Sub-District of the Downtown Development District.

The complete application and supporting documents are available via the link on page 1.

In June 2025, the site submitted an application for review to the Consolidated Review Committee (CRC). Upon the completion of the review, the applicant was advised of the following:

1. Appendix A, Section 9.A.1.(a): The property abuts St. Louis Street, which as an “A” street, is required to be the primary frontage of the development. The project proposes to utilize North Franklin Street, a “B” street, as the primary frontage.
2. Appendix A, Section 9.B.4. requires that the primary entrance be through the façade parallel to the primary frontage (St. Louis Street). The project does not propose the primary entrance along St. Louis Street.
3. Appendix A, Section 9.C.3.(e)(3): SD-WH properties are limited to one (1) curb cut per street frontage. The project proposes three (3) curb cuts to North Franklin Street.
4. Appendix A, Section 10.B.7.(b) requires all building facades facing a public frontage to have a minimum transparency of 20% on each floor. The project proposes approximately 7.8% transparency on the 1<sup>st</sup> floor along North Franklin Street.
5. Appendix A, Section 10.C.1.(f): Buildings that have multiple frontages should have similar frontage types selected for all frontages. The project proposes a gallery frontage along St. Louis Street and a stoop frontage along North Franklin Street.



6. Appendix A, Section 10.C.(c)(2) requires the finished floor elevation of a building with a stoop frontage to be a minimum of 20-inches. The project proposes a finished floor elevation of 18-inches. (18-inches is the maximum finished floor elevation for a gallery frontage).
7. Appendix A, Section C.(c)(3)(b) requires that stoops be between four (4) and six (6) feet deep. The project proposes stoops that are approximately 3.5-feet deep.
8. Appendix A, Section C.(c)(3)(e) states that stoops may be covered by a roof structure supported by columns or wall brackets. It is difficult for the CRC to determine if wall brackets are proposed.
9. Appendix A, Section 10.C.(g).: Gallery frontages are not allowed in SD-WH sub-districts. The project proposes a gallery frontage along St. Louis Street
10. Appendix A, Section 10.C.(g)(3)b requires galleries to be a minimum of 7-feet deep, and 12-feet in height. The project proposes a gallery that is almost 6-feet deep, and 11.5-feet tall.
11. Appendix A, Section 10.C.(g)(3)c Galleries are required to span a minimum of 80% of the width of the façade. The project proposes a gallery that appears to occupy 47%± of the façade.
12. Table A-11.1 limits address numbers to a maximum of 1 square feet. The project proposes a decorative address panel that is approximately 5 square feet.
13. No materials were provided for the stoop roof/awning, therefore making it difficult for the CRC to determine if the materials will comply.
14. No materials were provided for the garage doors, therefore making it difficult for the CRC to determine if the materials will comply.

In the responses to the above items that the applicant submitted with the variance application, it is referenced that a similar curb cut request was granted at 55 North Warren Street. However, that site came before the Board of Zoning Adjustment at its March 6, 2017 meeting where the application was denied. The applicant appealed the Board's decision to Circuit Court, where they were granted their appeal, and the variance was approved. That decision allowed the development of six (6) townhomes and ten (10) lofts to have a total of five (5) curb cuts to North Warren Street.

## 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:

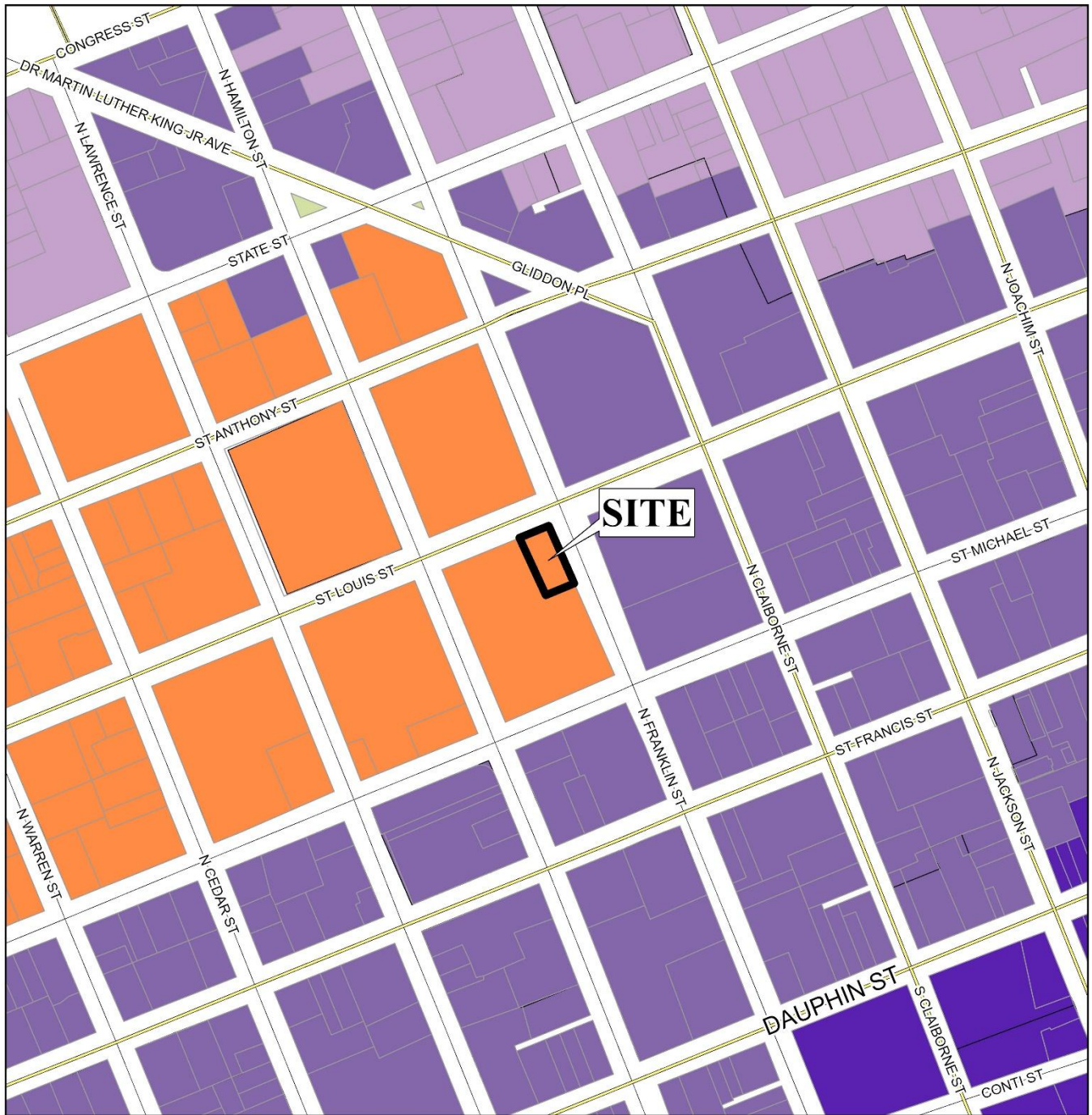
Based on the requested Variance application and documentation submitted, if the Board considers approval of the request, the following findings of fact must be present:

- 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 variance should be subject to the following conditions:

- 1. Obtain a non-utility right-of-way use agreement to allow gallery columns to encroach into the right-of-way;
- 2. Obtain all required land disturbance, building, and sign permits; and
- 3. Full compliance with all municipal codes and ordinances.

## LOCATOR ZONING MAP

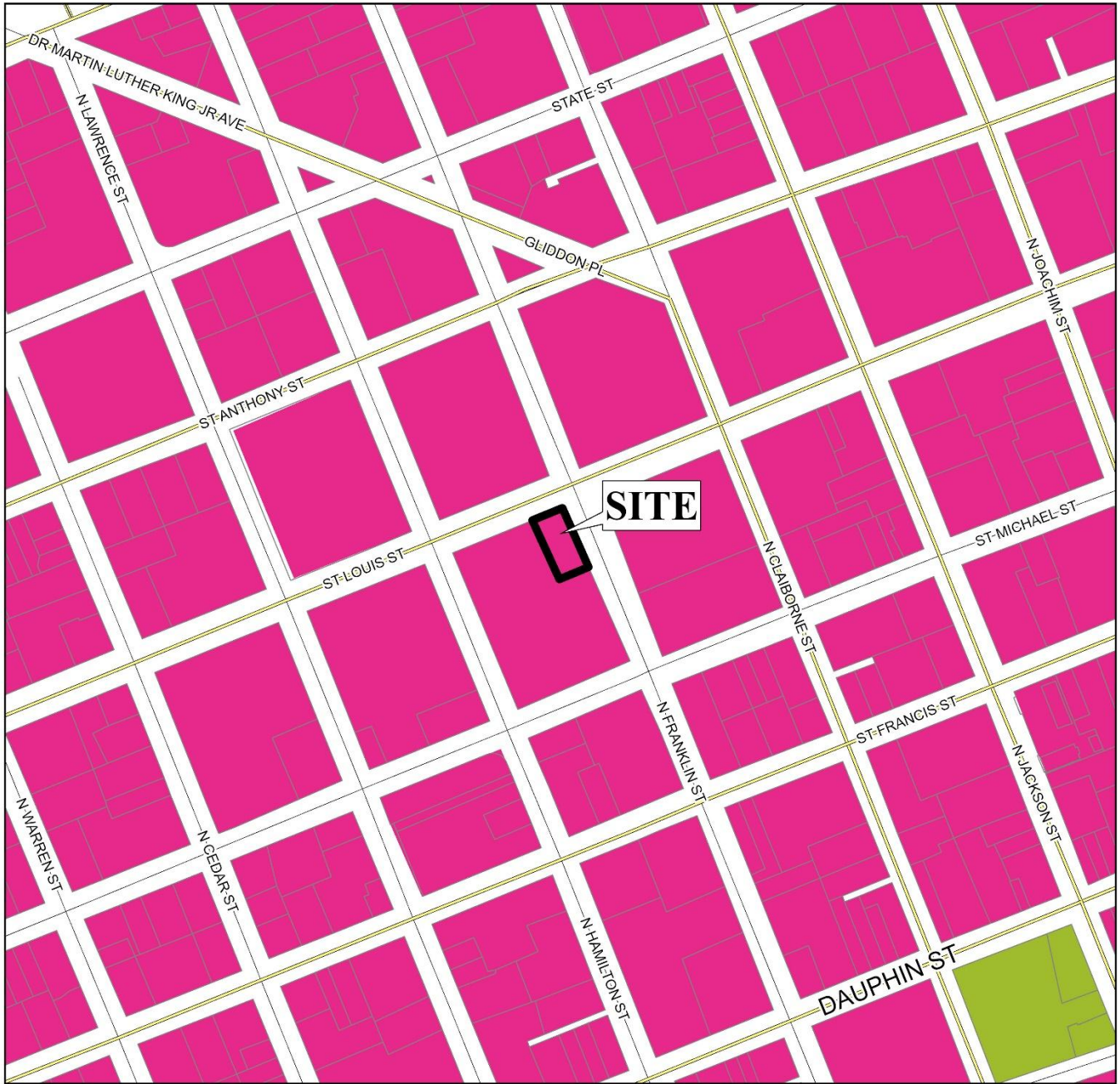


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# FLUM LOCATOR MAP

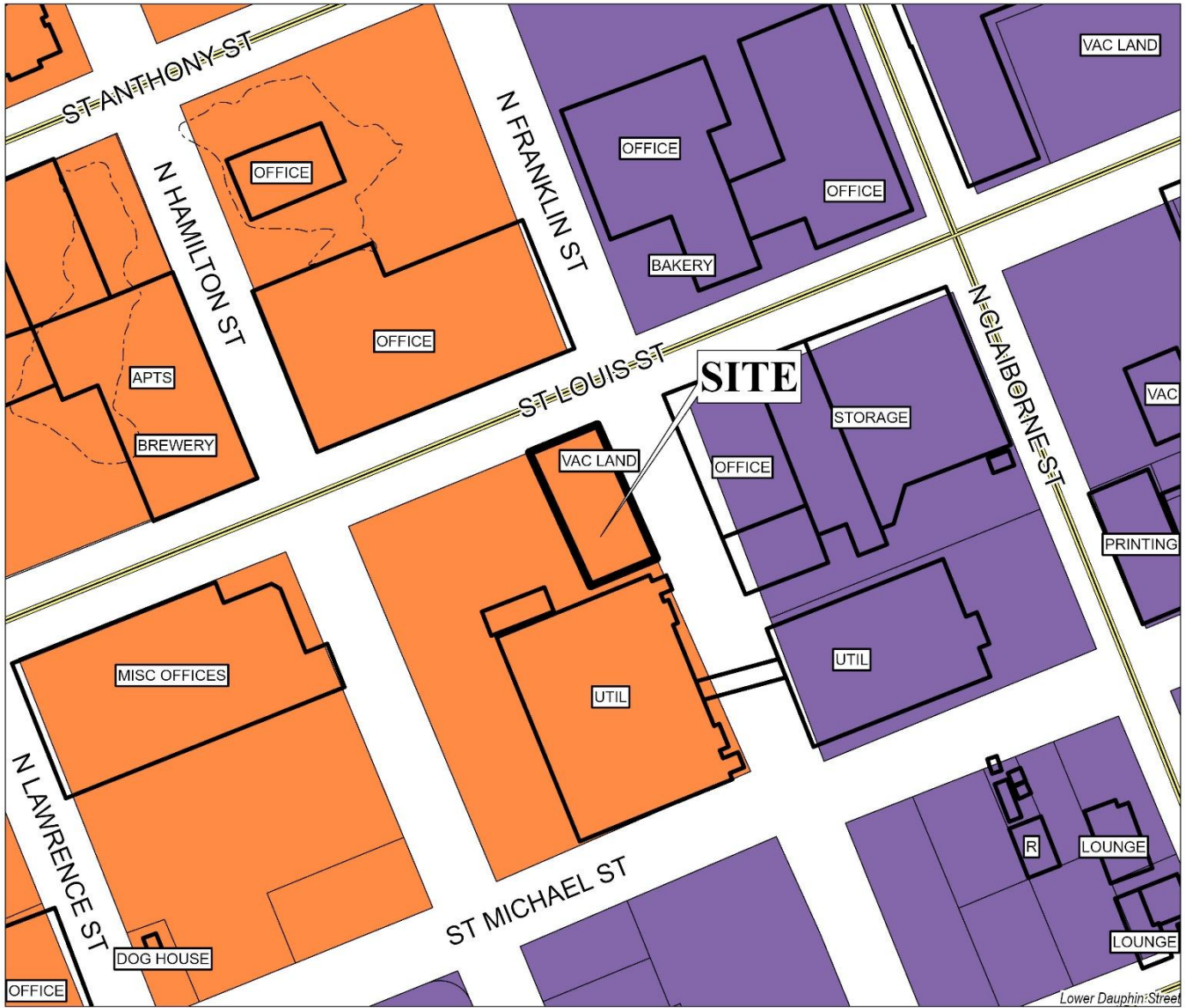


APPLICATION NUMBER	6689	DATE	August 4, 2025
APPLICANT	RGH (Stephen Howle, Agent)		
REQUEST	Curb Cut Number, Building Orientation, Signage, Material, and Frontage Type Variances		
<div><div>Low Density Residential</div><div>Mixed Density Residential</div><div>Downtown</div><div>District Center</div></div>	<div><div>Neighborhood Center - Traditional</div><div>Neighborhood Center - Suburban</div><div>Traditional Corridor</div><div>Mixed Commercial Corridor</div></div>	<div><div>Light Industry</div><div>Heavy Industry</div><div>Institutional</div><div>Parks, Open Space</div></div>	<div><div>Water Dependent</div></div>





# **BOARD OF ADJUSTMENT** **VICINITY MAP - EXISTING ZONING**

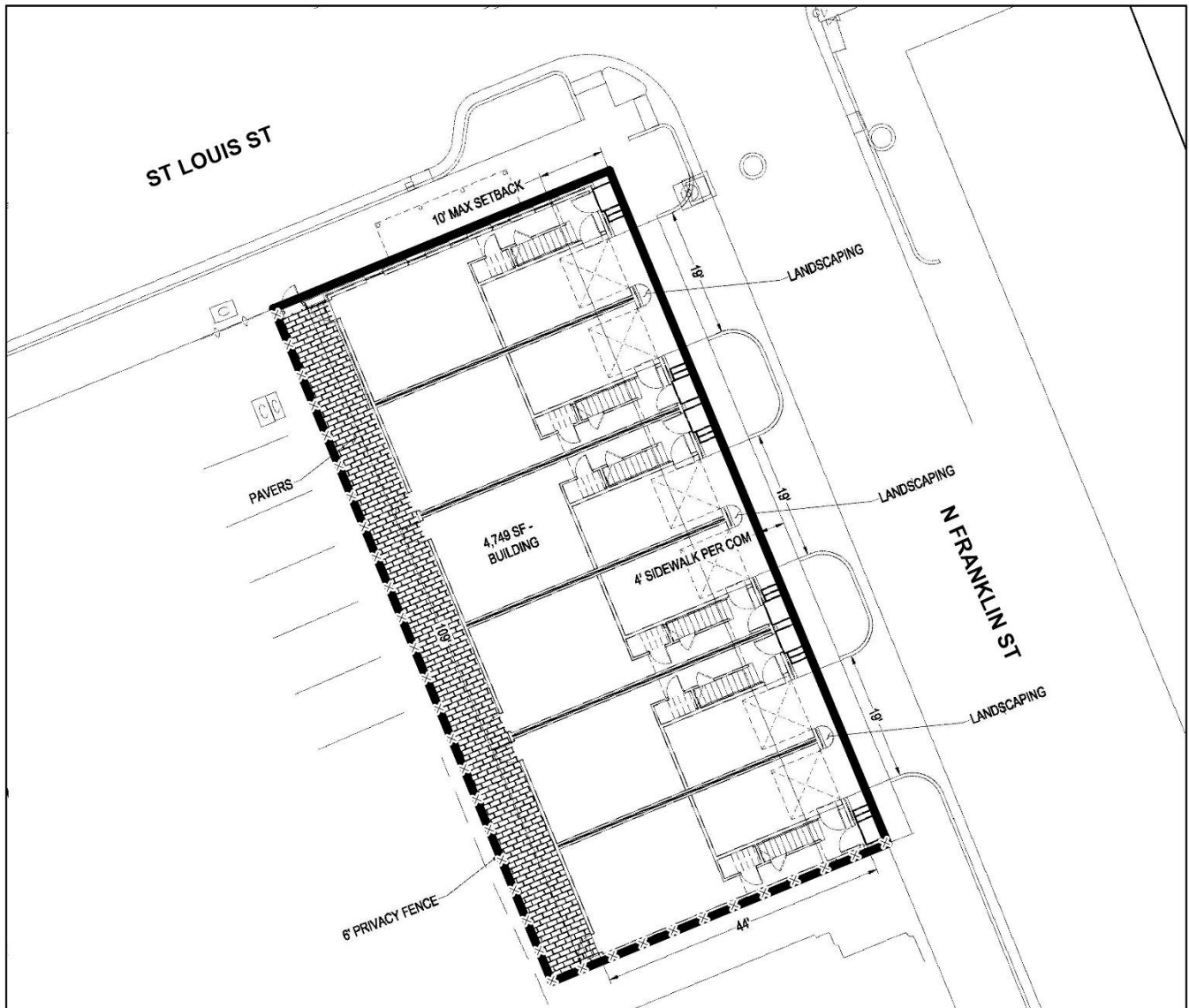


The site is surrounded by commercial units.

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



## SITE PLAN



The site plan illustrates the setbacks, proposed landscaping, proposed building, and fencing.

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## DETAIL SITE PLAN



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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)



## **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.