



**Agenda Item # 9**  
**BOA-003710-2026**

View additional details on this proposal and all application materials using the following link:  
[\*\*Applicant Materials for Consideration\*\*](#)

**DETAILS**

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**Location:**  
1028 and 1032 Newman Lane

**Applicant / Agent:**  
Africatown Redevelopment Corporation/Helmsing  
Leach, PC (Keri Coumanis, Agent)

**Property Owner:**  
Africatown Redevelopment Corporation

**Current Zoning:**  
R-1, Single-Family Residential Urban District

**Future Land Use:**  
Mixed Density Residential

**Case Number:**  
6752

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

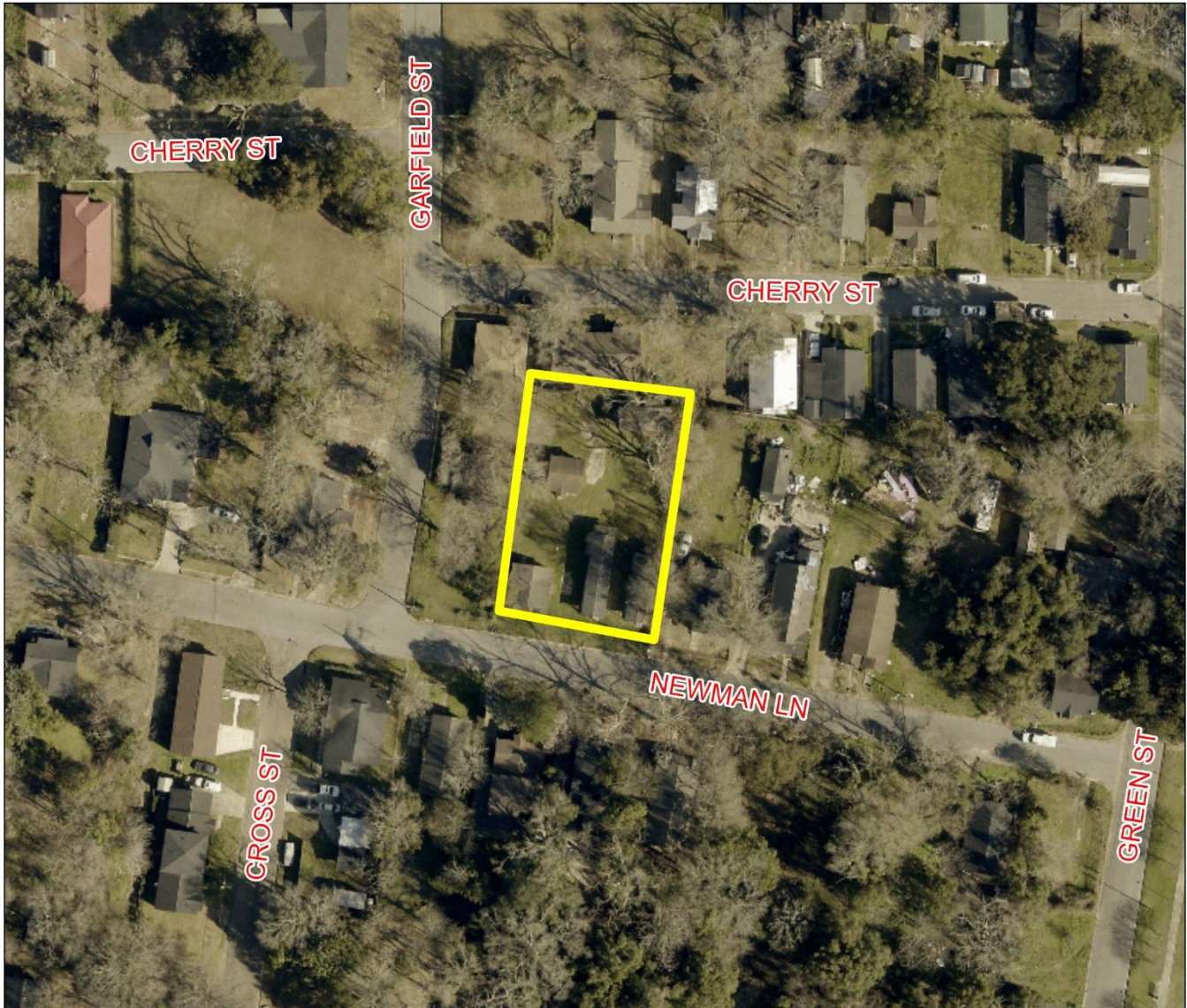
- The Unified Development Code (UDC) requires 24-foot wide access for two-way traffic at a cottage court development in an R-1, Single-Family Residential Urban District Development District.

**Board Consideration:**


- Access Variance to allow sub-standard access for two-way traffic at a cottage court development in an R-1, Single-Family Residential Urban District.

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# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units.

|  |  |
|--|--|
| APPLICATION NUMBER <u>    6752    </u> DATE <u>    May 4, 2026    </u> | <br>NTS |
| APPLICANT <u>    Helmsing Leach, PC (Keri Coumanis, Agent)    </u>     |  |
| REQUEST <u>                    Access Variance                    </u> |  |

## SITE HISTORY

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This site was annexed into the City of Mobile in 1960.

There have been no other Planning Commission or Board of Zoning Adjustment applications associated with the site.

## STAFF COMMENTS

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### Engineering Comments:

No comments on 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 that 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.

### Traffic Engineering Comments:

A 20-foot wide access will be required at minimum for two-way traffic.

### 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 an Access Variance to allow a sub-standard access for two-way traffic at a cottage court development in an R-1, Single-Family Residential Urban District; the Unified Development Code (UDC) requires 24-foot wide access for two-way traffic at a cottage court development in an R-1, Single-Family Residential Urban Development District.

All documentation submitted for this application is available via the hyperlink, on page 1.

The subject site is a Nonconforming cottage court consisting of ten (10) spaces with five (5) dwellings on two (2) legal lots of record. As such, the site is required to have a minimum of five (5) parking spaces; the proposed plan depicts ten (10) spaces.

Furthermore, the vehicular access aisle to the parking area proposed at the rear of the site is approximately 12-foot wide. The Unified Development Code (UDC) requires vehicular access aisles for two-way traffic to be a minimum of 24-feet in width. As the subject site is already developed with existing structures, the site does not have adequate space to accommodate the required amount of parking in front of the structures, and it is impossible to provide a wider access aisle to parking in the rear of the site without completely re-developing the site. It should be noted that the site plan does not depict handicap parking spaces, as is required by the Americans with Disabilities Act and Building Code.

The site plan does not depict a dumpster. If approved, a compliant dumpster should be depicted on the site plan, including screening and sufficient on-site access, or a note should be added stating that curbside pickup will be utilized.

## **VARIANCE CONSIDERATIONS**

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### **Standards of Review:**

Variations 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:**

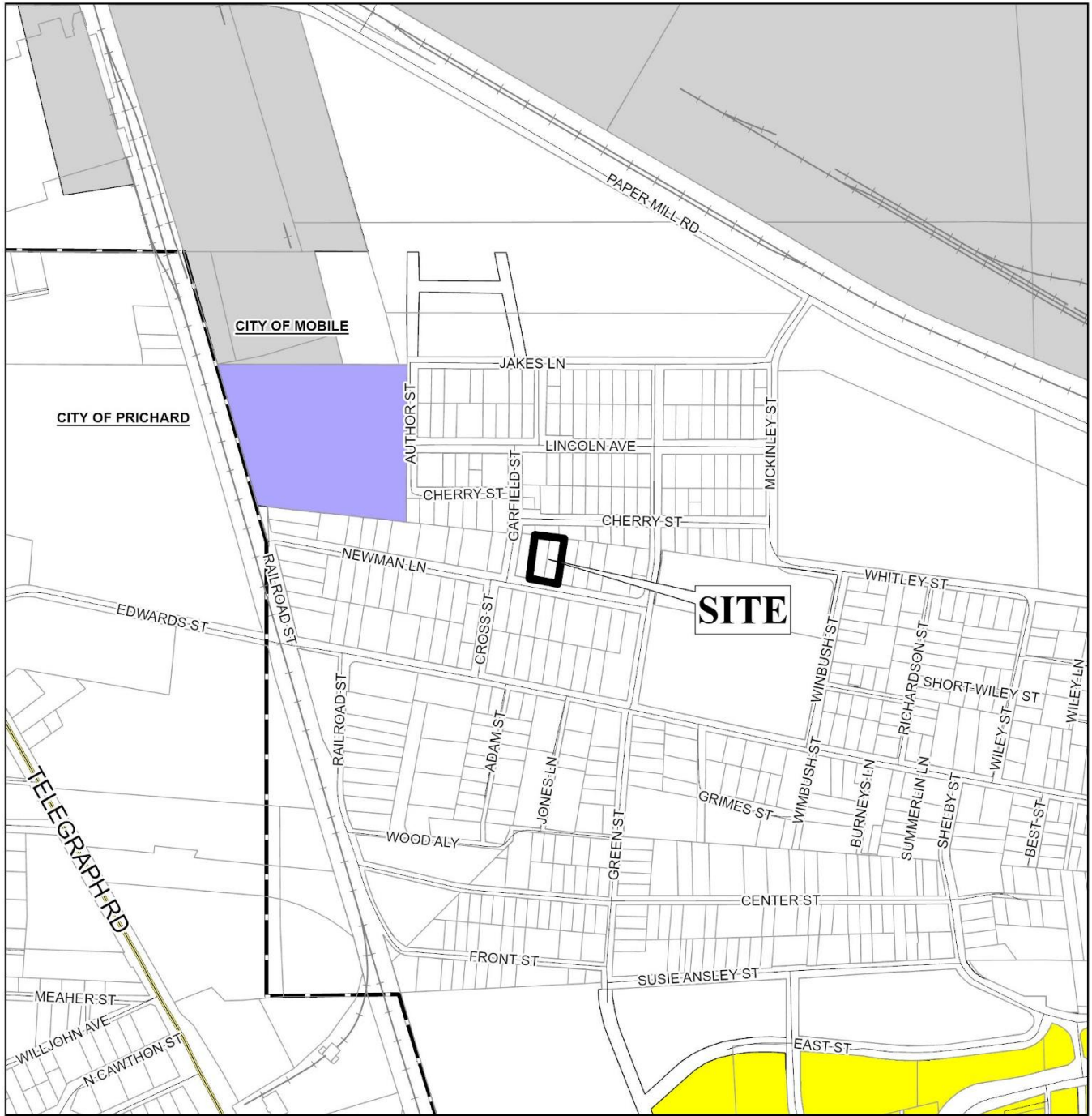
Based on the requested Variance application and documentation submitted, if the Board considers approval of the request, the following findings of fact must be presented:

- 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 the Board considers approving the variance request, it could be subject to the following condition:

- 1) Revision of the site plan to either depict a compliant dumpster on the site plan, or placement of a note stating that curbside pickup will be utilized;
- 2) Obtain all necessary land disturbance and building permits; and
- 3) Full compliance with all municipal codes and ordinances.

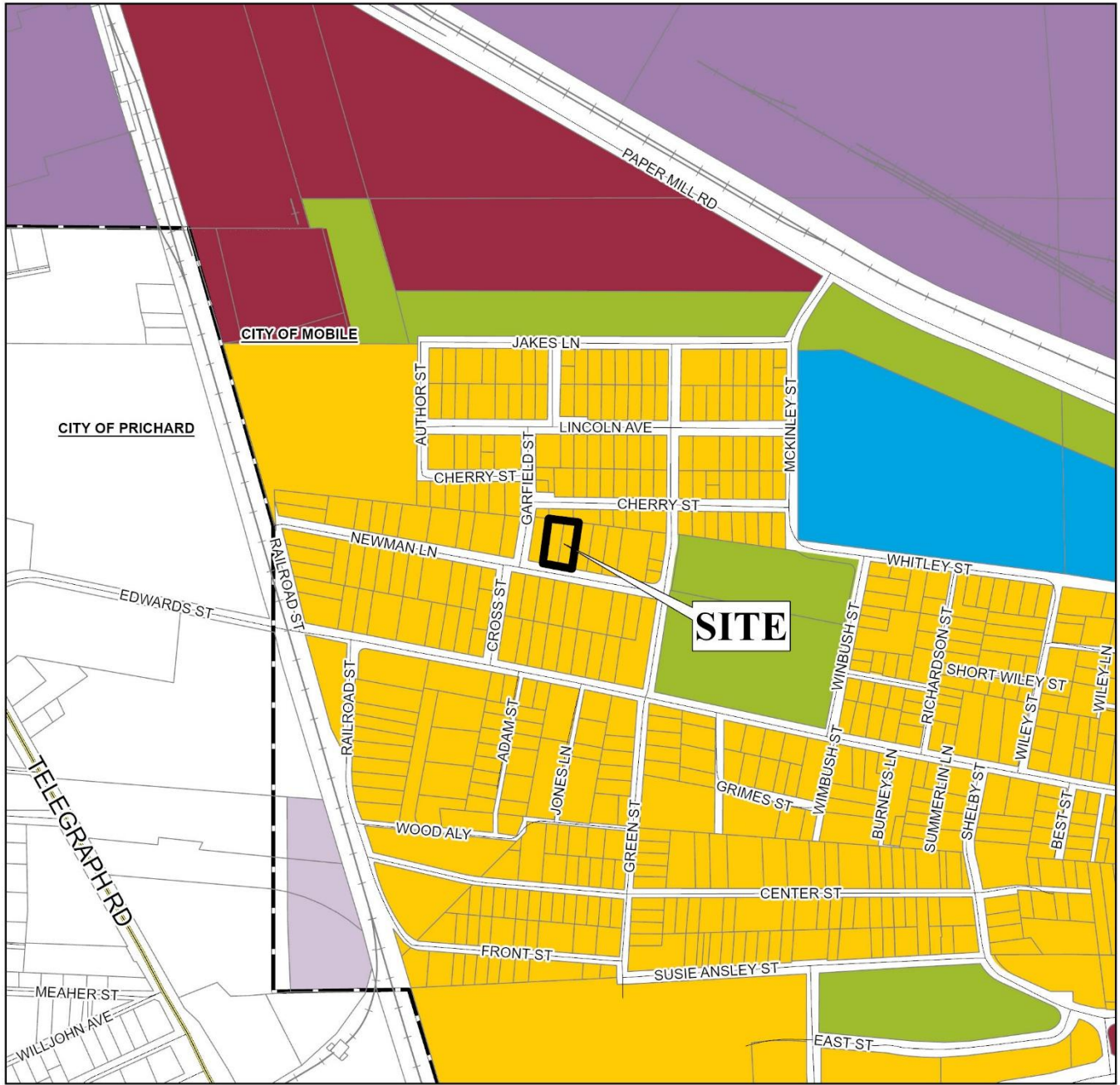
# LOCATOR ZONING MAP



|                    |   |      |             |
|--------------------|---|------|-------------|
| APPLICATION NUMBER | 6752                                      | DATE | May 4, 2026 |
| APPLICANT          | Helmsing Leach, PC (Keri Coumanis, Agent) |      |             |
| REQUEST            | Access Variance                           |      |             |



# FLUM LOCATOR MAP



APPLICATION NUMBER 6752 DATE May 4, 2026

APPLICANT Helmsing Leach, PC (Keri Coumanis, Agent)

REQUEST Access Variance


- |   |   |   |   |
|---|---|---|---|
| <span style="color: yellow;">■</span> Low Density Residential   | <span style="color: maroon;">■</span> Neighborhood Center - Traditional | <span style="color: lightpurple;">■</span> Light Industry   | <span style="color: blue;">■</span> Water Dependent |
| <span style="color: orange;">■</span> Mixed Density Residential | <span style="color: purple;">■</span> Neighborhood Center - Suburban    | <span style="color: grey;">■</span> Heavy Industry          | <span style="color: cyan;">■</span> Institutional   |
| <span style="color: pink;">■</span> Downtown                    | <span style="color: lightpink;">■</span> Traditional Corridor           | <span style="color: lightgreen;">■</span> Parks, Open Space |   |
| <span style="color: red;">■</span> District Center              | <span style="color: orange;">■</span> Mixed Commercial Corridor         |   |   |



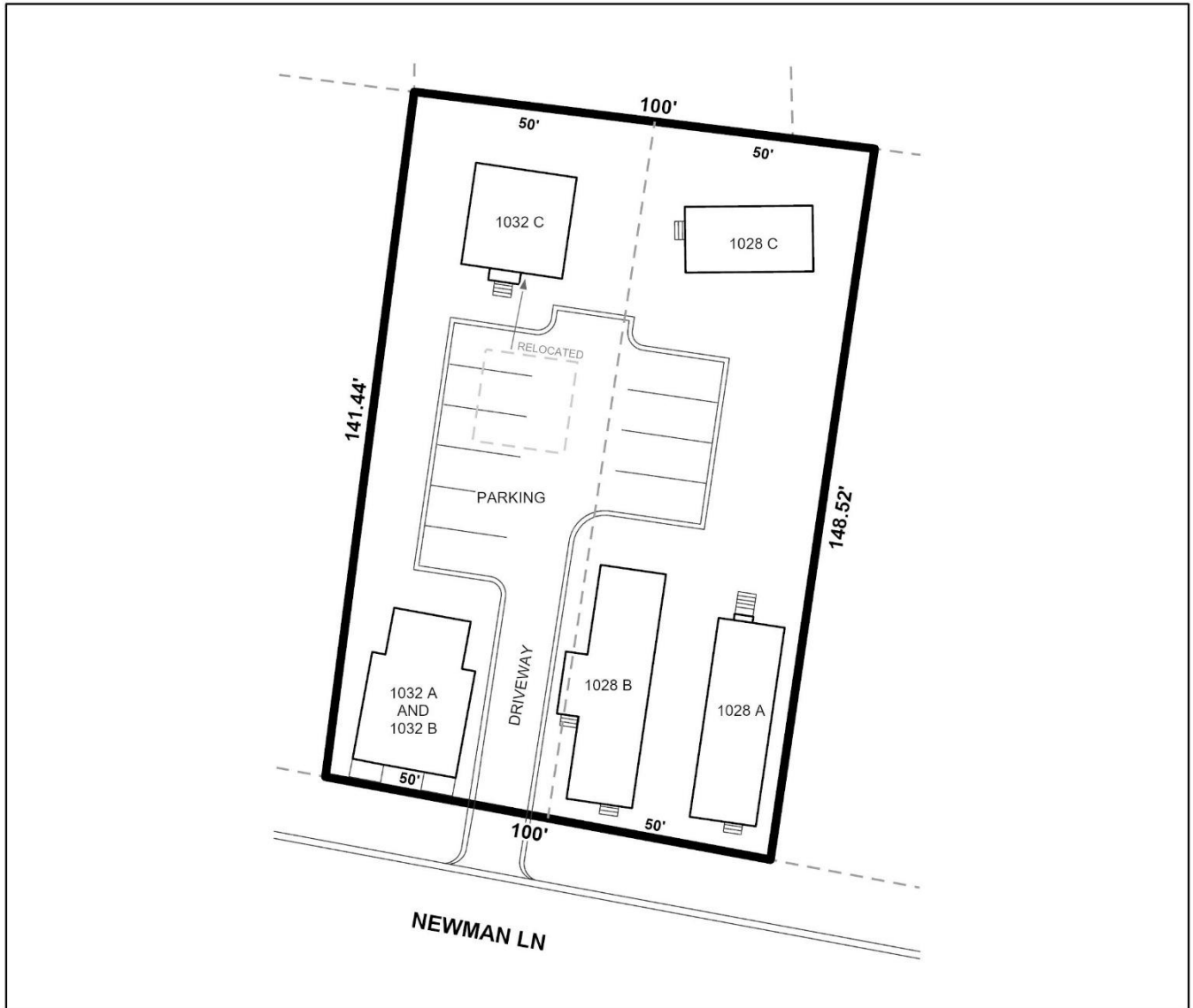
# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units.

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|--|---|---|--|--|---|--|---|--|---|--|--|---|---|---|---|--|---|--|---|--|--|--|---|---|---|--|---|--|--|--|--|
| APPLICATION NUMBER <u>6752</u> DATE <u>May 4, 2026</u>   | <br>NTS                                      |   |  |  |   |  |   |  |   |  |  |   |   |   |   |  |   |  |   |  |  |  |   |   |   |  |   |  |  |  |  |
| APPLICANT <u>Helmsing Leach, PC (Keri Coumanis, Agent)</u>   |   |   |  |  |   |  |   |  |   |  |  |   |   |   |   |  |   |  |   |  |  |  |   |   |   |  |   |  |  |  |  |
| REQUEST <u>Access Variance</u>   |   |   |  |  |   |  |   |  |   |  |  |   |   |   |   |  |   |  |   |  |  |  |   |   |   |  |   |  |  |  |  |
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# SITE PLAN



The site plan illustrates the proposed sign placements and current buildings.

|  |                         |
|--|-------------------------|
| APPLICATION NUMBER <u>6752</u>                             | DATE <u>May 4, 2026</u> |
| APPLICANT <u>Helmsing Leach, PC (Keri Coumanis, Agent)</u> |                         |
| REQUEST <u>Access Variance</u>                             |                         |

