



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

December 23, 2020

MA FOODMART I, LLC  
1363 Government St.  
Mobile, AL 36604

**Re: #6356/5279/5251/4007/3892/2258**  
**(Case #BOA-001406-2020)**  
**MA Foodmart 1, LLC (Mohammed Suid, Agent)**  
**1363 Government Street**  
**(Southeast corner of Government Street and Everett Street).**  
**Council District 2**

Dear Applicant(s) / Property owner(s):

On December 7, 2020, the Board of Zoning Adjustment considered your request for a **Sign Variance to allow a freestanding digital pricing sign within 300' of residentially zoned property, and an existing canopy sign for more than 64 square feet in total signage at a single-tenant site in the Leinkauf Historic District in a B-2, Neighborhood Business District; the Zoning Ordinance does not allow digital pricing signs within 300' of residentially zoned property and limits businesses in historic districts to no more than 64 square feet of signage in a B-2, Neighborhood Business District.**

**Canopy Sign:** After discussion, the Board determined the following Findings of Fact for Approval for the "TEXACO" sign on the east elevation of the canopy:

- 1) Approving the canopy sign variance will not be contrary to the public interest, as the existing sign is a portion of the overall signage approved in 2010 for the north canopy elevation;
- 2) Special conditions (live oak trees in the abutting right-of-way) exist such that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship; and
- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the applicant and surrounding neighborhood by granting the canopy sign variance because it will compensate for limitation in the signage allowances of the Zoning Ordinance.

The Approval is subject to the following conditions:

- 1) approval by the Architectural Review Board;
- 2) obtaining of all required after-the-fact sign permits for the east canopy sign; and
- 3) full compliance with all other municipal codes and ordinances.

**Monument Sign:** After discussion, the Board determined the following Findings of Fact for Approval of the proposed monument digital pricing sign:

- 1) The variance will not be contrary to the public interest;
- 2) Special conditions exist such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship; and
- 3) The spirit of the chapter shall be observed and substantial justice done to the applicant and the surrounding neighborhood by granting the variance.

The Approval is subject to the following conditions:

- 1) limited to the same height, location and size as the existing sign;
- 2) digital sign to comply with lighting limits of the Zoning Ordinance, and be static;
- 3) approval by the Architectural Review Board;
- 4) removal of all non-compliant signs from the site;
- 5) obtaining of all required sign permits for the sign, if approved by the Architectural Review Board; and
- 6) full compliance with all other municipal codes and ordinances.

Any party aggrieved by this decision may, within fifteen days of the date of the decision, appeal to the Circuit Court of Mobile County by filing a written notice of appeal, specifying the decision from which the appeal is taken. Notice of the appeal, as well as a date stamped copy of the appeal filed in Circuit Court must be filed with this Board within the fifteen-day appeal period.

No permit, license or certification can be issued until the 15-day appeal period has expired and no appeal has been made. If a permit/license has not been obtained on or before **June 7, 2021**, the variance will expire and become null and void.

For additional assistance call (251) 208-5895.

Sincerely,

**BOARD OF ZONING ADJUSTMENT**

William Guess, Chairman

By: \_\_\_\_\_

Bert Hoffman

Cc: Sahori Properties II, LLC