



THE CITY OF MOBILE, ALABAMA  
BOARD OF ZONING ADJUSTMENT  
LETTER OF DECISION

March 8, 2016

Sarah Smith  
Harrison, French and Associates  
1705 S. Walton Blvd., Suite 3  
Bentonville, AL 72712

Re: #6028  
(Case #ZON2016-00130)  
Harrison French and Associates (Sarah Smith, Agent)  
6350 Cottage Hill Road  
(North side of Cottage Hill Road, 200'± East of Hillcrest Road).

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

On March 7, 2016, the Board of Zoning Adjustment considered your request for **Sign Variance to allow two directional wall signs over 20 square feet each (39.9 square feet and 62.7 square feet) in a B-2, Neighborhood Business District** at the above referenced location.

After discussion, the Board determined the followings findings of fact for denial of the proposed 39.9 square foot directional sign on the East elevation:

- 1) allowing an increase in the size of directional signage would be contrary to the public interests inasmuch as existing, compliant directional signage has not negatively impacted the flow of traffic or the safety of pedestrians or property;
- 2) that special conditions requiring increased visibility of directional signs do not exist in such a way that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship, especially due to the effectiveness of existing directional signage; and
- 3) that the spirit of the chapter shall not be observed and substantial justice shall not be done to the surrounding neighborhood by granting the variance because the dimensions of directional signage authorized by the Ordinance have thus far proven sufficient in this instance.

Additionally, the Board finds the following findings of fact for Approval for the proposed 62.7 square foot directional sign on the South elevation:

- 1) allowing an increase in the size of directional signage would not be contrary to the public interests inasmuch as existing, non-compliant directional signage has

not negatively impacted the flow of traffic or the safety of pedestrians or property;

- 2) that special conditions requiring increased visibility of directional signs do exist in such a way that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship, especially due to the effectiveness of existing directional signage; and
- 3) that the spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the variance because the dimensions of existing directional signage is similar to the newly proposed.

The Approval is subject to the following conditions:

- 1) either removal of the existing sign on the East canopy façade or replacement with a compliant sign that is 20 square feet or less.

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 September 7, 2016, the **Sign Variance** will expire and become null and void. For additional assistance call (251) 208-5895.

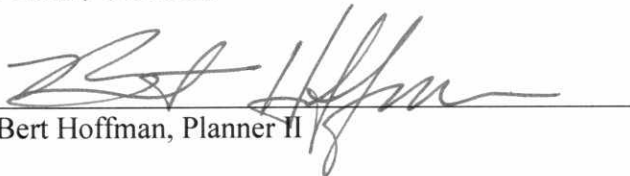
For additional assistance call (251) 208-5895.

Sincerely,

**BOARD OF ZONING ADJUSTMENT**

William Guess, Chairman

By:

  
Bert Hoffman, Planner II

cc: Walmart Real Estate Business Trust

/lw