



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

October 9, 2014

Modern Signs LLC
P. O. Box 81174
Mobile, AL 36689

Re: #5916/5109
(Case #ZON2014-01701)
Modern Signs LLC
3347 Halls Mill Road
(East side of Halls Mill Service Road (private road), 230'± South of Halls Mill Road).

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

On October 6, 2014, the Board of Zoning Adjustment considered your request for **Sign Variance to allow a digital sign 180'± from the nearest residentially zoned property in a B-3, Community Business District** at the above referenced location.

After discussion, the Board approved the request, finding that:

- 1) **Based on the fact that the site is isolated from residentially-used properties, the variance will not be contrary to the public interest;**
- 2) **These special conditions (adjacent residentially zoned property is developed commercially and extended eave projection would mask night-time glow) exist such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship; and**
- 3) **That the spirit of the chapter shall be observed and substantial justice done to the applicant and the surrounding neighborhood by granting the variance in that the sign will only be directly visible along the Interstate 65 frontage and the night-time glow will be obscured by the extended eave overhang.**

The approval is subject to the following conditions:

- 1) **message board to be programmed to display a static (non-moving) message at night; and**
- 2) **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 April 6, 2015, the **Sign 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, Planner II

cc: K. Berger Properties, LLC

/lw