



THE CITY OF MOBILE, ALABAMA
BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

March 10, 2017

Wrico Signs, Inc.
3345 Halls Mill Road
Mobile, AL 36606

Re: #6092
(Case #ZON2017-00280)
Wrico Signs, Inc.
5601 Moffett Road
(Northwest corner of Moffett Road and Howells Ferry Road).

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

On March 6, 2017, the Board of Zoning Adjustment considered your request for a **Sign Variance to allow two freestanding signs with digital pricing signs within 300' of residentially zoned property, and seven wall signs, on a single-tenant commercial site in a B-2, Neighborhood Business District; the Zoning Ordinance allows one freestanding sign and two wall signs on a single-tenant commercial site, and does not allow digital pricing signs within 300' of residentially zoned property in a B-2, Neighborhood Business District at the above referenced location.**

After discussion, The Board approved the request to have two freestanding signs with digital gas pricers and a total of two canopy signs. The Board finds the following findings of fact for Approval:

- 1) Approving the variance will not be contrary to public interest in that the presence of protected trees blocks visibility to the existing freestanding sign, making a second freestanding sign desirable;
- 2) Special conditions exist and there are hardships which exist, in that the Board is of the opinion that the digital sign regulations are not applicable to fuel price signs, such that the 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 surrounding neighborhood by granting the variance by allowing the applicant to have two canopy signs, thereby increasing visibility.

After discussion, The Board denied the request to allow a third canopy sign and three additional wall signs. The Board finds the following findings of fact for Denial:

- 1) Approving the variance will be contrary to public interest in that the Zoning Ordinance regulates signage in order to protect the health, safety, and welfare of the citizens of the City of Mobile and the general aesthetics of the city by providing uniform standards for the locations, spacing, height, setback, lighting, and other regulations of off-premise and on-premise signs within the city;
- 2) Special conditions do not exist and there are no hardships which exist that make the placement of additional signs necessary; it seems to simply be the applicant's desire for additional signage on site;
- 3) 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 subject site has been developed in compliance with the Zoning Ordinance.

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 6, 2017, 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: Marie York
Marie York, Planner II

cc: Circle K Stores Inc. A Texas

/lr