



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

May 3, 2016

Advantage Sign Company
5918 I-10 Industrial Parkway
Theodore, AL 36582

Re: #6038
(Case #ZON2016-00798)
Irv Horton
399 Azalea Road
(Northeast corner of Azalea Road and Michael Boulevard).

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

On May 2, 2016, the Board of Zoning Adjustment considered your request for **Sign Variance to allow a LED price changer sign for a gas station less than 300' from residentially zoned property in a B-2, Neighborhood Business District** at the above referenced location.

After discussion, the Board determined the followings findings of fact for Approval:

- 1) **approving the variance will not be contrary to the public interest in that the digital sign regulations are not, in the Board's opinion, applicable to fuel price signs;**
- 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 because proposed digital fuel price signs will not be a detriment to the neighborhood.**

The approval is subject to the following conditions:

- 1) **submission of a sign permit application;**
- 2) **submission of an electrical permit; and**

3) **full compliance with Section 64-11 of the Zoning Ordinance, and 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 November 2, 2016, 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, Principal Planner

cc: Syed Kabir

/lw