



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

July 14, 2022

Tracey Diehl
Expedite The Diehl
6487 Hilliard Drive Canal
Winchester, Ohio 43110

Re: #6469/4539
(Case #BOA-002074-2022)
Tracey Diehl
3274 Dauphin Street
(North side of Dauphin Street, 350'± East of Interstate 65).

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

On July 11, 2022, the Board of Zoning Adjustment considered your request for a **Sign Variance to allow a total of 14 signs, some of which are located in the right-of-way for a single-business site in a B-3, Community Business District; the Zoning Ordinance limits single-business sites to a total of three (3) signs, with all signs to be located on private property in a B-3, Community Business District.**

After discussion, the Board determined the following Findings of Fact for Approval of the Monument Sign on private property and two (2) Menu Board Signs:

- a) **Approving the variance request will not be contrary to the public interest since the Board has approved similar requests for businesses within the vicinity of the subject site;**
- b) **Special conditions do appear to exist in such a way that a literal enforcement of the provisions of the chapter will result in unnecessary hardship since the site is located below the grade of an interstate interchange and set back excessively from Dauphin Street due to an intersecting service road, thus reducing visibility of the site; and,**
- c) **The spirit of the chapter shall be observed, and substantial justice shall be done to the surrounding neighborhood by granting the variance because other businesses with similar visibility issues within the vicinity of the subject site have been allowed to have adequate signage.**

The approval is subject to the following conditions:

- 1) **Approval from the Right-of-Way Secondary Use Committee to allow the proposed signs to be placed within the right-of-way, prior to the approval of any Sign Permit;**
- 2) **Attainment of Sign Permits for each sign from the Planning and Zoning Department;**
- 3) **Attainment of Electrical Permits for each internally illuminated sign from the Central Permitting Department; and,**
- 4) **Compliance with all other Codes and Ordinances.**

After discussion, the Board determined the following Findings of Fact for Denial of the Entrance Sign, two (2) Directional Signs, Dumpster Gate Sign, and seven (7) Marketing Signs:

- a) Approving the variance request will be contrary to the public interest in that it will be contrary to at least Sections 64-11.6. and 64-11.8.c.(2) of the Zoning Ordinance regarding signage;**
- b) Special conditions do not appear to exist in such a way that a literal enforcement of the provisions of the chapter will result in unnecessary hardship since the Entrance Sign and two (2) Directional Signs do not require special approvals if placed on private property and any corporate logo removed, and because there is no justification provided for the requested Dumpster Gate Sign or seven (7) Marketing Signs; and**
- c) 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 there are no businesses within the vicinity of the subject site that have been granted approvals for such excessive amounts of signage.**


For additional assistance call the Planning and Zoning Department at (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By: _____


Marie York, Principal Planner