

APPLICATION NUMBER

5278

A REQUEST FOR

**SIGN VARIANCE TO ALLOW TWO WALL SIGNS FOR
ONE TENANT ON A MULTI-TENANT SITE WITH ONLY
ONE STREET FRONTAGE; ONLY ONE WALL SIGN PER
TENANT, PER STREET FRONTAGE IS ALLOWED ON A
MULTI-TENANT SITE**

LOCATED AT

1110 MONTLIMAR DRIVE

(West side of Montlimar Drive, 1/3± mile North of Michael Boulevard)

APPLICANT/AGENT

ADVANTAGE SIGN COMPANY

OWNER

KOLL BREN FUND VI LPA

BOARD OF ZONING ADJUSTMENT

DECEMBER 2004

The applicant is requesting a Sign Variance to allow two wall signs for one tenant on a multi-tenant site with only one street frontage; only one wall sign per tenant, per street frontage is allowed on a multi-tenant site.

The applicant states the purpose of this variance application is to allow an additional 45 square foot wall sign on the side (North) elevation of the building. The applicant states the building is set back over 200-feet from Montlimar Drive and visibility from Airport Boulevard is obscured by not only the location of the building but also by the adjacent wooded lot to the north.

The applicant states the property is different from neighboring properties in that the building is several stories tall and houses many different tenants of whom none have been allowed signage over the last fifteen years. The applicant states Televox, a prosperous Mobile based company, will be the first tenant to be allowed wall signage because of the amount of space that will be leased.

The applicant was issued a sign permit to allow the installation of a 45 square foot illuminated, wall sign, on the front (East) elevation. However, the applicant is proposing to add an additional wall sign on the side (North) elevation.

The purpose of the Sign Ordinance is to promote the economic well-being of the Mobile community by creating a favorable physical image, to afford the business community an equal and fair opportunity to advertise and promote products and services, and to protect the right of the citizens to enjoy Mobile's natural scenic beauty.

Variances are not intended to be granted frequently. The applicant must clearly show the Board that the request is due to very unusual characteristics of the property and that it satisfies the variance standards. What constitutes unnecessary hardship and substantial justice is a matter to be determined from the facts and circumstances of each application.

Moreover, the proposed sign targeted to Airport Boulevard; however, as stated by the applicant the building is somewhat obscured by the adjoining woods. Furthermore, the site is approximately ½ mile from Airport Boulevard.

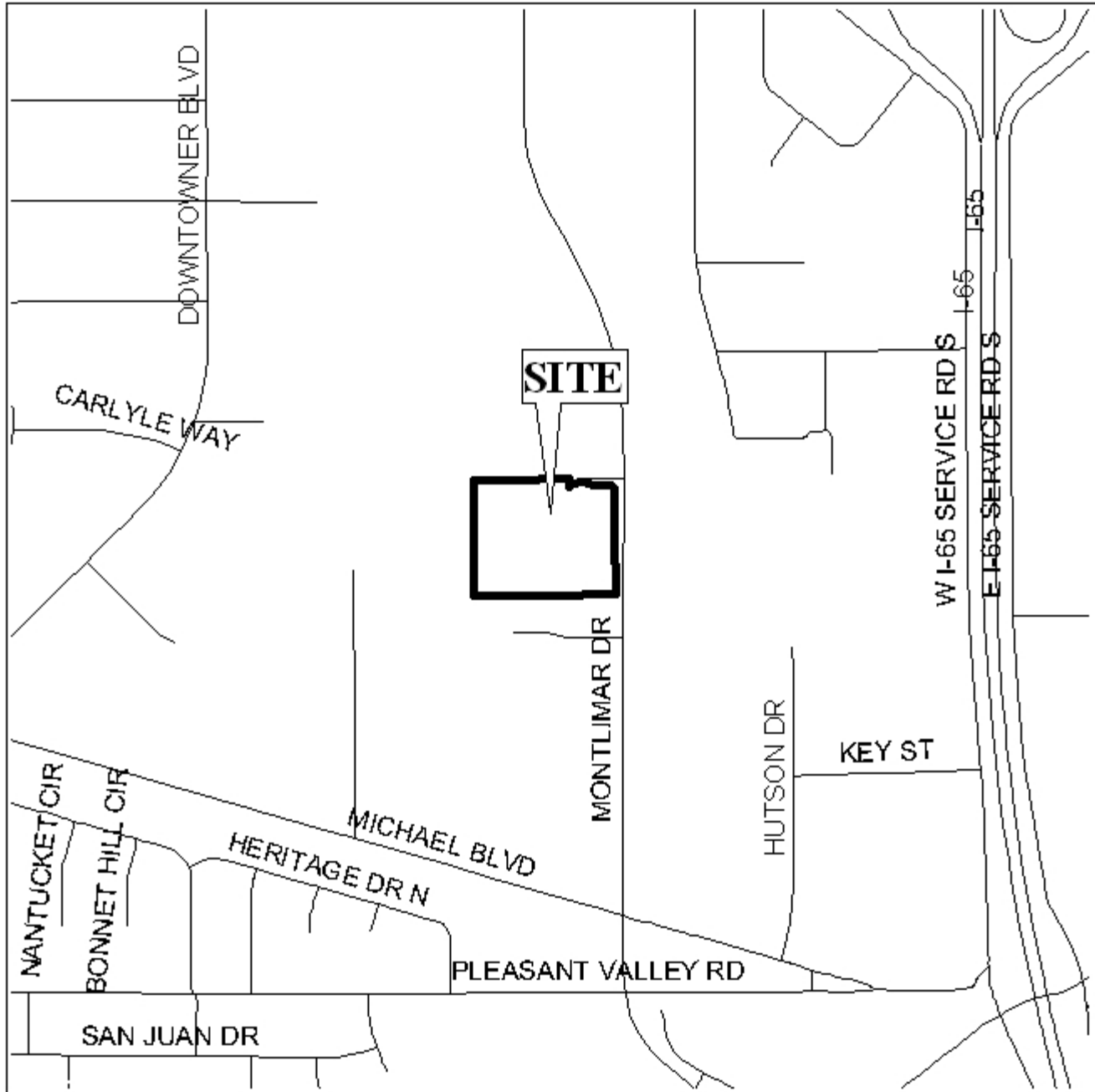
The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application; and, unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions exist such that a literal enforcement of the Ordinance will result in an unnecessary hardship. The Ordinance also states that a variance should not be approved unless the spirit and intent of the Ordinance is observed and substantial justice done to the applicant and the surrounding neighborhood.

The applicant failed to illustrate that a literal enforcement of the Zoning Ordinance would result in an unnecessary hardship. It is simply the applicant's desire to construct an additional wall sign on a multi-tenant building.

RECOMMENDATION 5278**Date: December 6, 2004**

Based on the preceding, it is recommended that this application be denied.

LOCATOR MAP



APPLICATION NUMBER 5278 DATE December 6, 2004

APPLICANT Advantage Sign Company (Koll Bren Fund VI LPA, Owners)

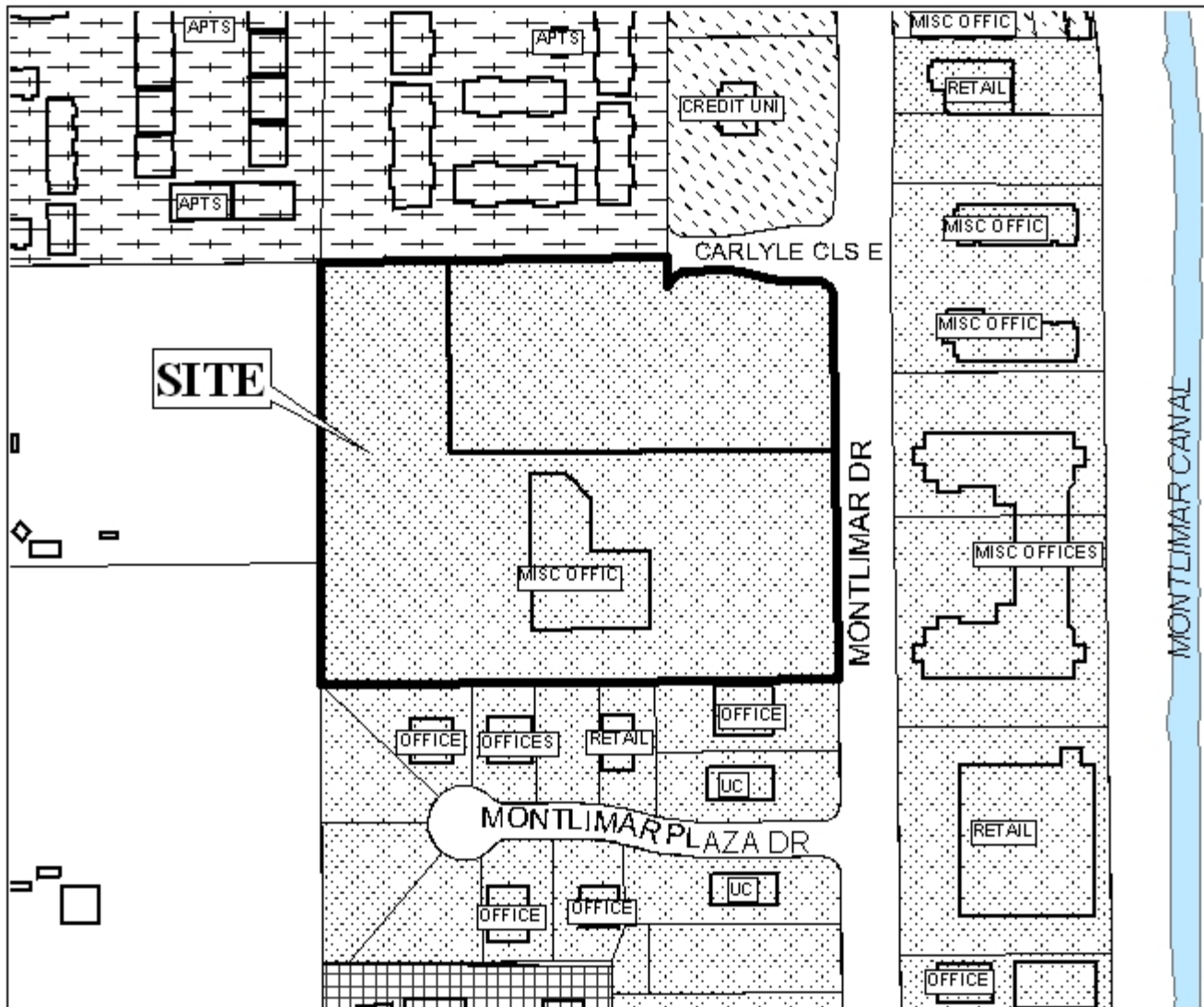
REQUEST Sign Variance



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BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial sites.
Apartments are located to the north of the site.

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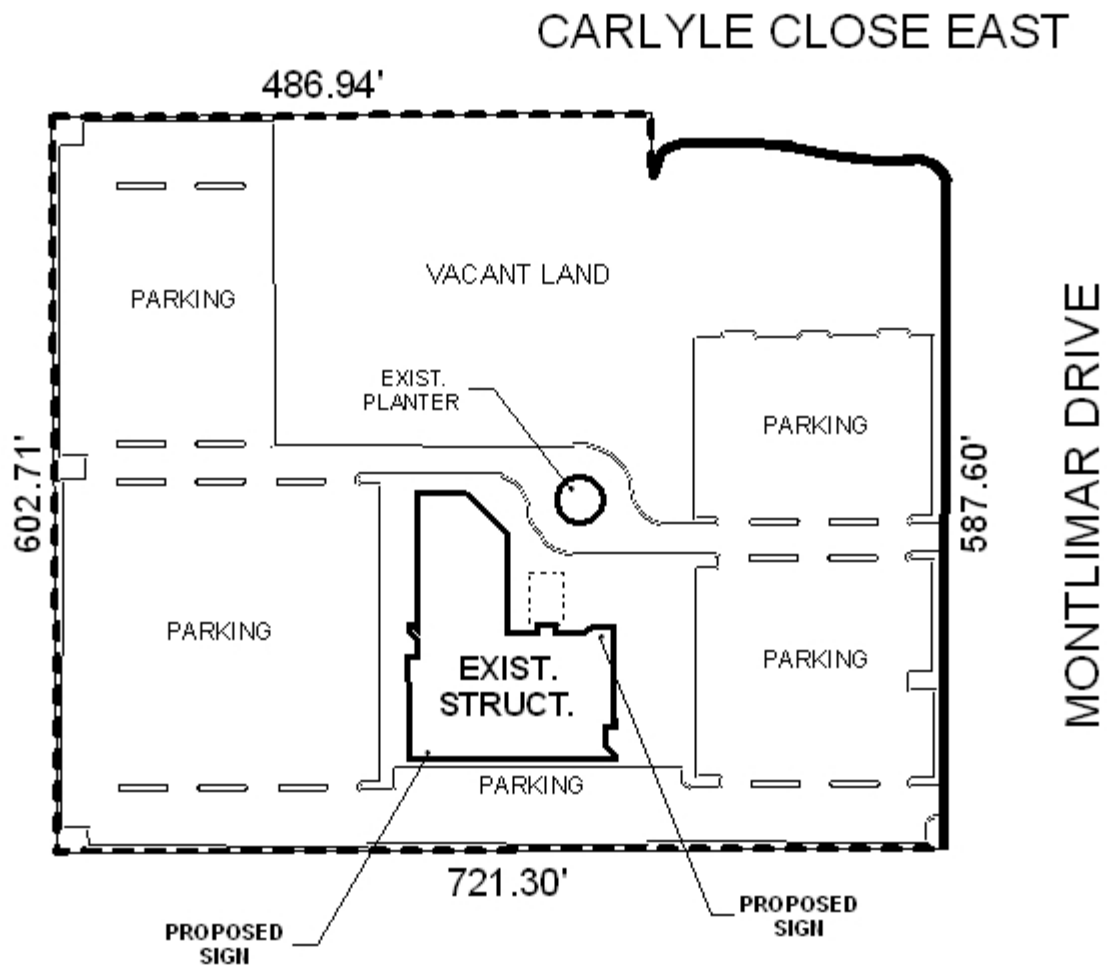
REQUEST Sign Variance

LEGEND

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|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----|-----|-----|-----|
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| R-1 | R-2 | R-3 | R-A | R-B | H-B | B-1 | LB-2 | B-2 | B-3 | B-4 | B-5 | I-1 | I-2 |

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SITE PLAN



The site is located on the West side of Montlimar Drive, 1/3 mile North of Michael Boulevard.
The plan illustrates the existing structure and proposed sign locations.

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SIGN

36" **TeleVox**
15'

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