

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: March 5, 2012**

<u>CASE NUMBER</u>	5733
<u>APPLICANT NAME</u>	American Family Care
<u>LOCATION</u>	5235 Rangeline Road South (South side of Rangeline Road South, 160'± East of Halls Mill Road)
<u>VARIANCE REQUEST</u>	SIGNAGE: Sign Variance to allow three additional wall signs per tenant at a group business site.
<u>ZONING ORDINANCE REQUIREMENT</u>	SIGNAGE: At a group business site, each tenant is allowed one wall sign per street frontage that the tenant faces.
<u>ZONING</u>	B-3, Community Business District.
<u>AREA OF PROPERTY</u>	0.54 ± Acre
<u>TRAFFIC ENGINEERING COMMENTS</u>	None received
<u>CITY COUNCIL DISTRICT</u>	District 4

ANALYSIS The applicant is requesting a Sign Variance to allow three additional wall signs per tenant on a group business site in a B-3, Community Business District; the Zoning Ordinance allows one wall sign per tenant and one freestanding sign for the development on a group business site in a in a B-3, Community Business District.

American Family Care has renovated the former Blockbuster Video building, and converted it into a group business site with two tenants, American Family Care and Verizon Wireless. The site has street frontage onto one public street, Rangeline Road South, to the North. The site also faces to internal accessways for Wal-Mart to the East and South, however, these accessways are not public streets. As such, the applicants are allowed one wall sign, each. The applicants have chosen to place their permitted signs facing the private accessway to the East. The applicants now wish to have signage for each tenant on each exterior wall of the buildings, for a total of four wall signs per tenant.

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.

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.

The applicant states that the previous tenant, Blockbuster Video, had signage on both ends of the building. The previous tenant was also the only tenant, and the building, at that time, was a single business site, and would have been allowed two wall signs. Additionally, the Blockbuster Video store was developed prior to annexation into the City of Mobile, and any non-conforming signs would have been “grandfathered.” The fact that the building has been completed redeveloped, and converted into a group business site means that compliance with the sign ordinance is required.

The applicant also states that surrounding businesses have like signage. A brief review of nearby businesses in group business sites was conducted, and staff was unable to find any examples of this level of signage at any other group business site in the area. Additionally, “grandfathered” signs in the area have been being taken down as new businesses have moved in to the area.

The existing signs, which are legally permitted, are located at the entrance. The proposed signs are located elsewhere around the building. The site also has a legal, 40-foot high freestanding sign, which can be seen with little effort from Rangeline Road South. There does not seem to be any sign visibility issues associated with the property.

The applicant has failed to show that any hardship exists on the site.

RECOMMENDATION

Based upon the preceding, this application is recommended for denial.

Revised for the March 5, 2012 meeting:

The application was heldover from the February 6, 2012 meeting due to a lack of quorum. No additional information has been submitted by the applicant, and as such, the recommendation remains the same.

It should be noted that similar variances for additional signage have been denied for both Verizon and Blu Rabbit Paradise near Springdale Mall in 2005, 2006, and 2009. This is not a unique requirement, but is and has been applicable city-wide since 1991. Also, this application and others by the same applicant for different locations clearly illustrates that there is no hardship, but a sign package that simply does not comply with sign regulations.

RECOMMENDATION
for denial.

Based upon the preceding, this application is recommended

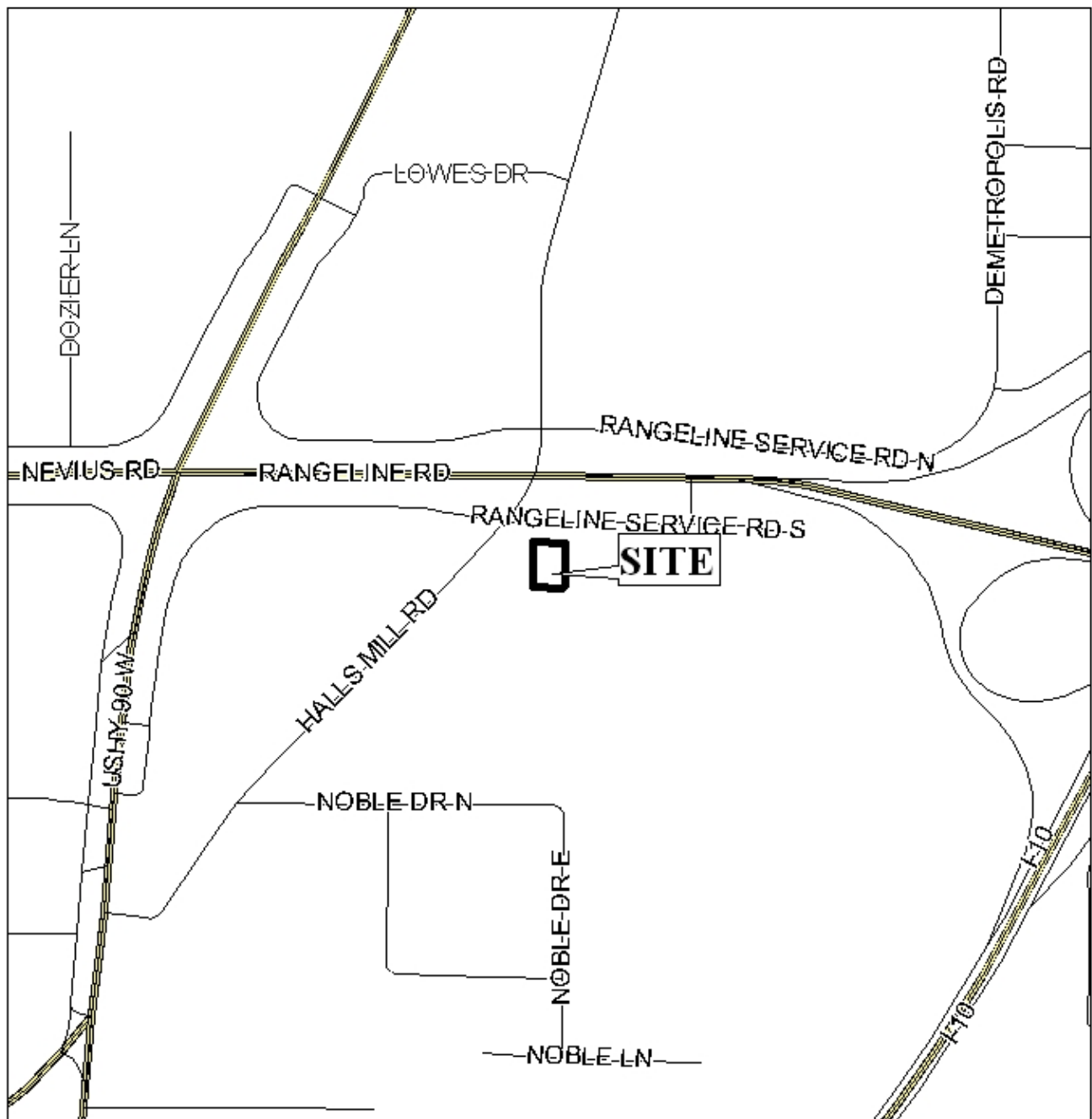
Revised for the April 2, 2012 meeting:

The application was heldover from the March 5, 2012 meeting due to a lack of quorum. No additional information has been submitted by the applicant, and as such, the recommendation remains the same.

RECOMMENDATION
for denial.

Based upon the preceding, this application is recommended

LOCATOR MAP



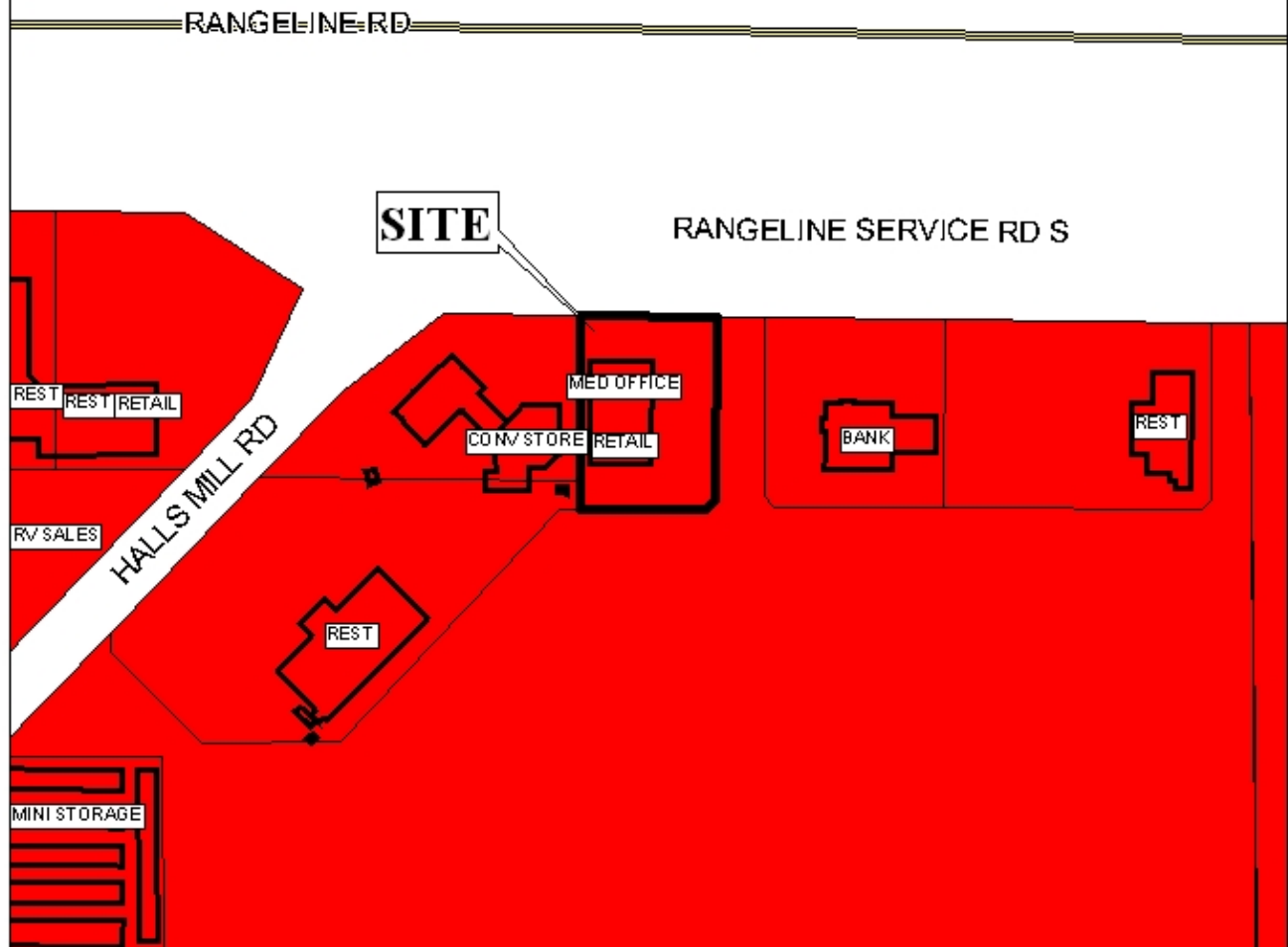
APPLICATION NUMBER 5733 DATE April 2, 2012

APPLICANT American Family Care

REQUEST Sign Variance



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING


















The site is surrounded by commercial land use.

APPLICATION NUMBER 5733 DATE April 2, 2012

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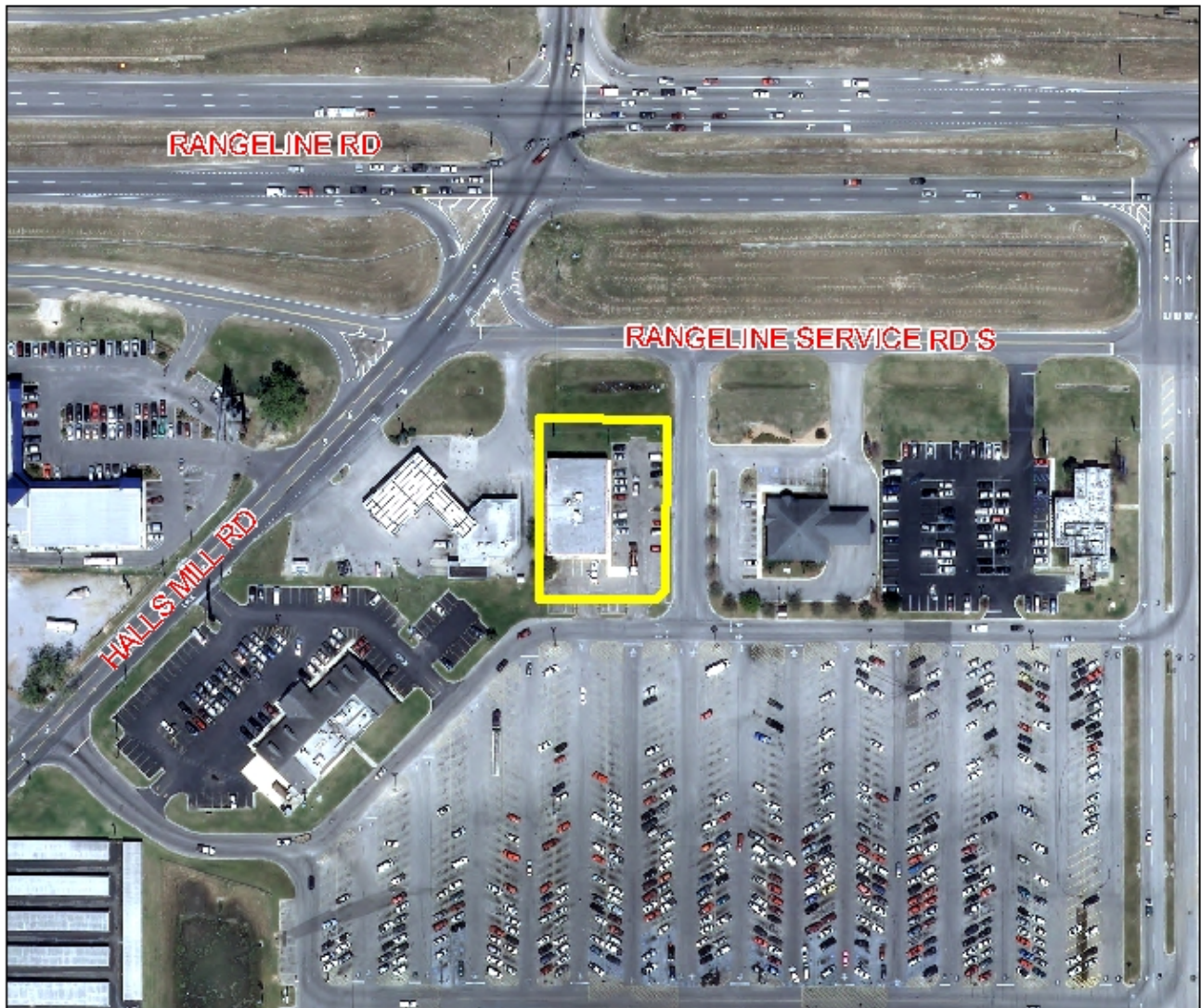
REQUEST Sign Variance

LEGEND

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

NTS

BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial land use.

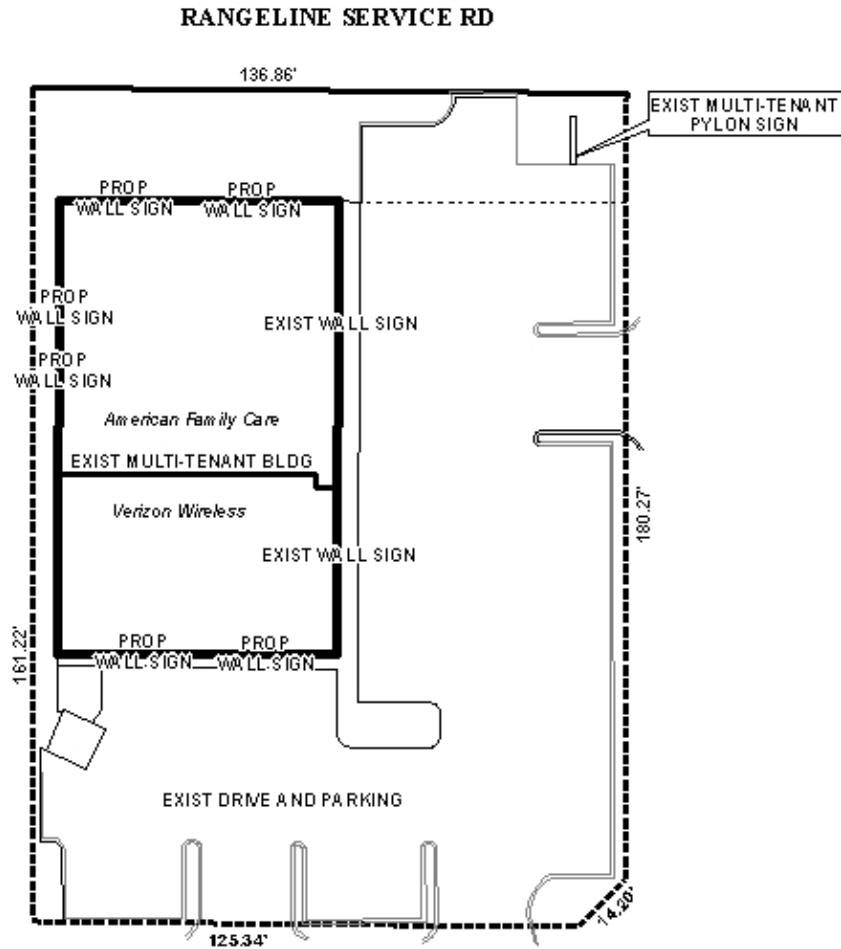
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REQUEST Sign Variance



SITE PLAN

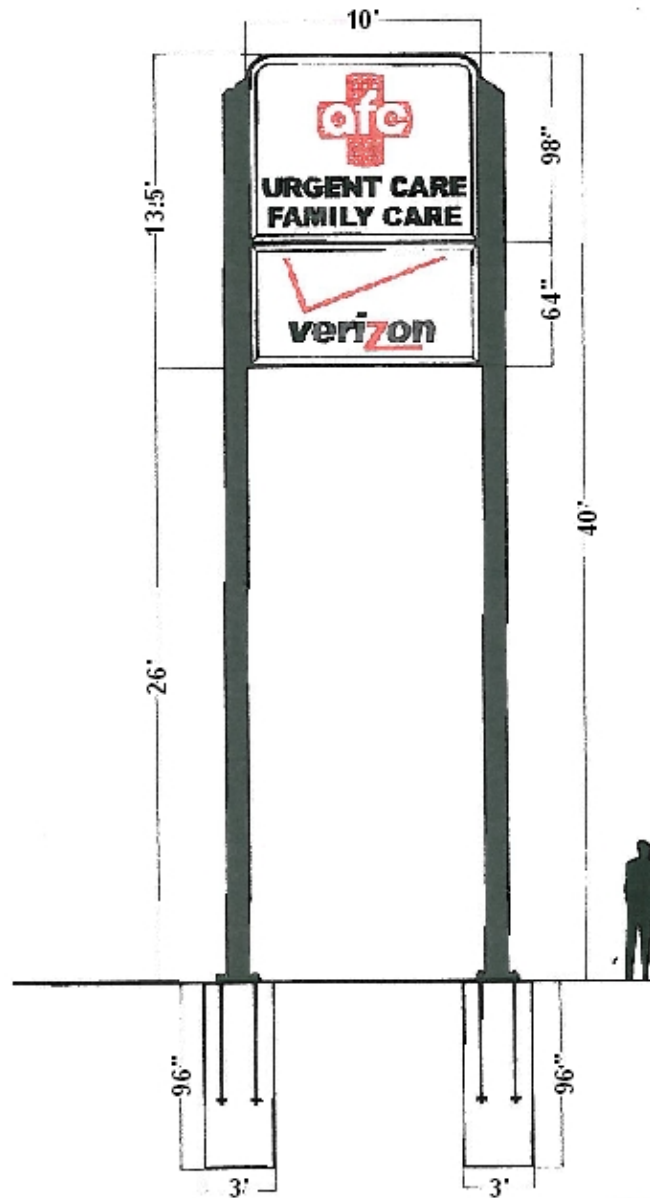


The site plan illustrates the existing and proposed signage.

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 REQUEST Sign Variance



EXISTING FREESTANDING SIGN



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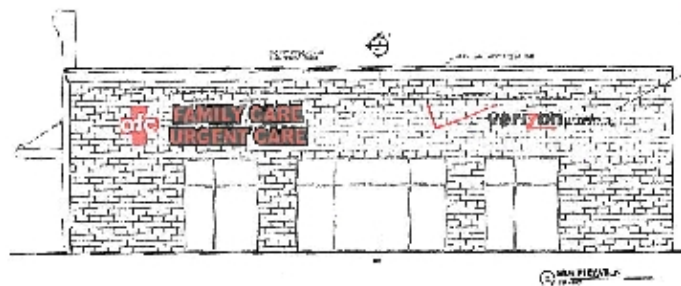
REQUEST Sign Variance



PROPOSED NORTH ELEVATION



RACEWAY MOUNTED CHANNEL LETTERS
WITH BACKER PANEL
Logo - White face vinyl overlay
with vinyl copy applied and red trim
Family Care/Urgent Care - Red face and black trim
Backer Panel - .050 Aluminum painted black
Illumination - LED
Runway - To Motion Fields



PMS 185c - Red
Black

Sign allowed to be 25
square feet of signage

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NTS

PROPOSED SOUTH ELEVATION



RACEWAY MOUNTED STANDARD LETTERS
WITH BACKLIT PANEL
Logo- White face vinyl overlay
with vinyl on sign app and red Ltr overlay
Family Care/Urgent Care- Red face and black lettering
Backlit panel- LED Acrylic in panel Back
Lumination- LED
Backway- To Match Back



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APPLICANT American Family Care

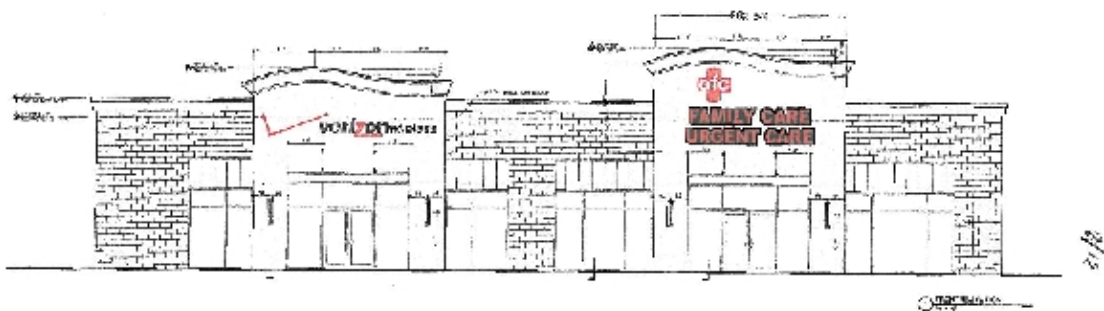
REQUEST Sign Variance



Diagram of the Family Care Urgent Care sign with dimensions:

- Overall width: 147.8"
- Overall height: 87.2"
- Top section width: 46.85"
- Top section height: 46.64"
- Bottom section width: 147.8"
- Bottom section height: 40.56"
- Bottom section text: "FAMILY CARE URGENT CARE"

 PMS 185c - Red
 Black



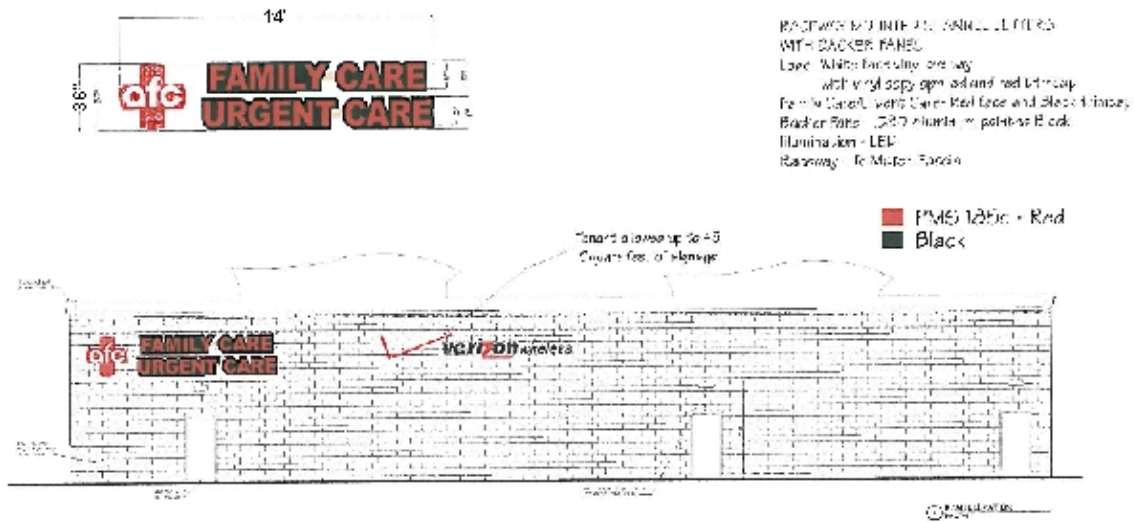
DRAWING NO. **ACS-11**
 DATE **6/21**
 DESIGNED BY **TPH**

REQUEST _____ Sign Variance _____



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PROPOSED WEST ELEVATION



APPLICATION NUMBER 5733 DATE April 2, 2012

APPLICANT American Family Care

REQUEST Sign Variance

