

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: November 3, 2014****CASE NUMBER**

5931

APPLICANT NAME

Wrico Signs

LOCATION758 St. Michael Street
(Block bounded by St. Michael Street, North Bayou Street,
St. Louis Street, and North Scott Street)**VARIANCE REQUEST****SIGN:** Sign Variance to allow a monument sign at an
apartment building in the Downtown Development District.**ZONING ORDINANCE
REQUIREMENT****SIGN:** The Zoning Ordinance does not allow a monument
sign in the Downtown Development District.**ZONING**

SD-WH, Special District - Warehouse

AREA OF PROPERTY

1.4± Acres

**TRAFFIC ENGINEERING
COMMENTS**

No Comments

**CITY COUNCIL
DISTRICT**

District 2

ANALYSIS

The applicant is requesting a Sign Variance to allow a monument sign at an apartment building in the Downtown Development District; the Zoning Ordinance does not allow a monument sign in the Downtown Development District.

The applicant is proposing a 52 square foot, single-faced monument sign to be located near the primary entry. The applicant currently has three (3) small awning signs on the front entry that do not appear to have sign permits, and would not be allowed under the Downtown Development District. The proposed sign would identify an 11 story apartment building which, according to tax records, was built on the site in 1950.

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 state:

The purpose of this application is to allow the placement and installation of a monument sign at Tower on Ryan Park Apartments of 758 St. Michael Street, Mobile, AL. We propose to place the monument sign at the Southwest corner of our building on the street level.

Building identification and visibility is key for the commercial success of a business. The zoning requirements currently in place for downtown signage are restrictive to the point of not generating the necessary attention for a multifamily residence and is adversely affecting leasing. Specifically for Tower on Ryan Park, our sales are predicated by the drive by, impulse buyers and low visibility is detrimental to operations. We also seek to increase curb appeal within our vibrant downtown community and ensure prospective downtown residents and those new to our area are aware of our community for their rental housing needs. We are not able to install signage on the property due to historic downtown zoning requirements currently in place.

Tower on Ryan Park is a unique, historic, and iconic downtown multifamily property that is different from surrounding businesses in that it offers an affordable rental option with a large inventory of various floor plans. It's able to accommodate a wide variety of budgets and appeals to a broad demographic. Its presence is important to the downtown community as Tower on Ryan Park is one of the few conventional, multifamily rental housing options available East of Broad Street within the heart of our downtown neighborhood.

The applicant has not provided sufficient evidence to demonstrate that a hardship exists at this site, as there are signage options available, such as a painted wall sign on the Bayou Street side of the building, which may not have been considered by the applicant. It should be noted that the site is not located within a historic district, but it is within the May 2014 adopted Downtown Development District. It is simply the applicant's desire to have a monument sign that is prohibited under the Downtown Development District codes.

RECOMMENDATION:
fact for Denial:

Staff recommends to the Board the following findings of

- 1) approving the variance will be contrary to the public interest in that the applicant already has three unpermitted signs, and other signage options do not appears to have been explored;
- 2) special conditions do not exist and there are no hardships which exist that make the placement of a monument sign necessary; and
- 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 intent on the

prohibition of monument signs is to encourage the use of the types of signs now allowed by the Downtown Development District.

Revised for the December 1st meeting:

The application was heldover in order to allow the applicant to provide additional information regarding the materials of the proposed sign. No additional information has been submitted.

RECOMMENDATION: *Staff recommends to the Board the following findings of fact for Denial:*

- 1) approving the variance will be contrary to the public interest in that the applicant already has three unpermitted signs, and other signage options do not appears to have been explored;*
- 2) special conditions do not exist and there are no hardships which exist that make the placement of a monument sign necessary; and*
- 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 intent on the prohibition of monument signs is to encourage the use of the types of signs now allowed by the Downtown Development District.*

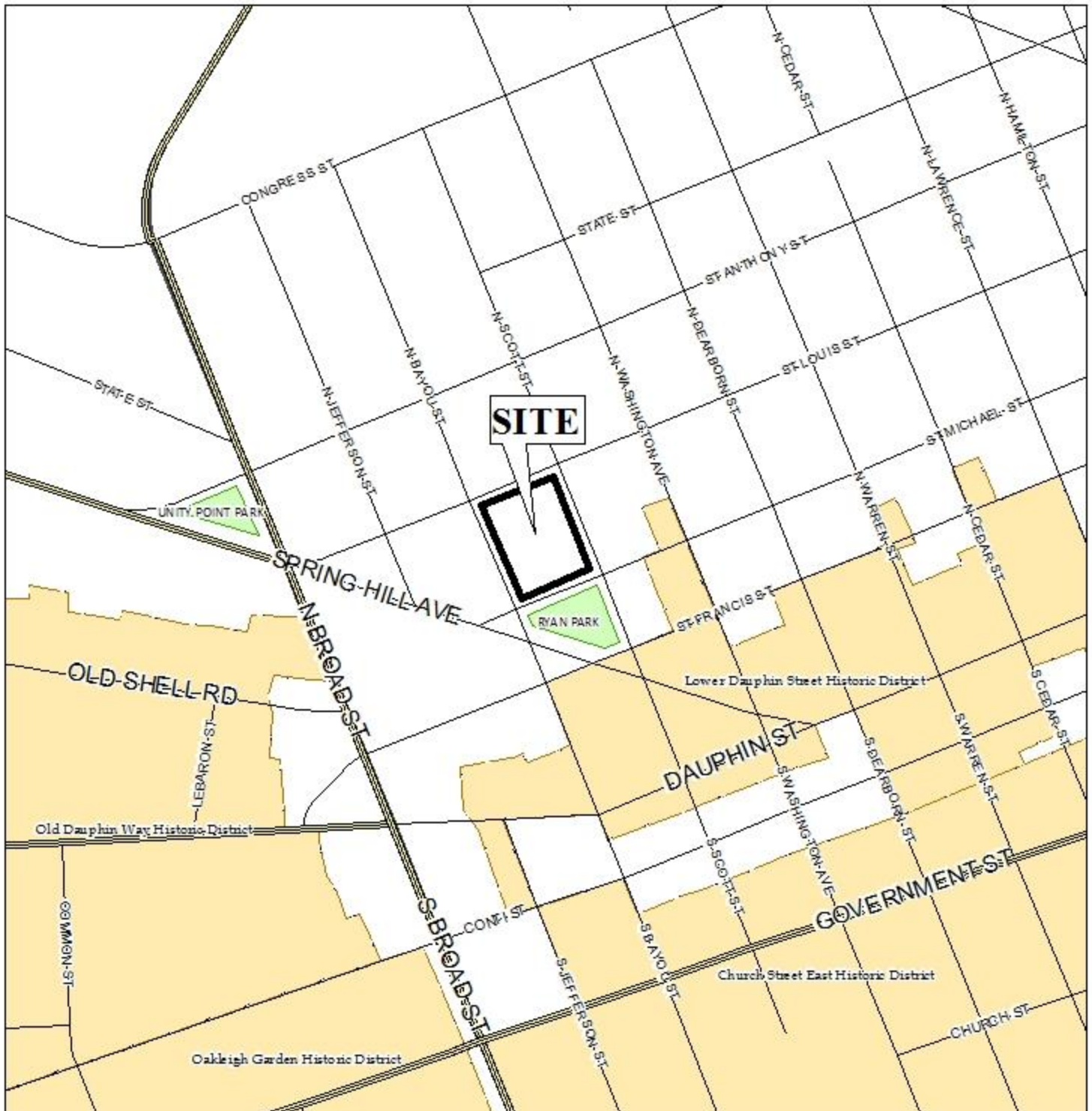
Revised for the January 5th meeting:

The application was heldover in order to allow the applicant to revise the request to use compliant materials, and provide an illustration of the sign in a greater context. No additional information has been submitted.

RECOMMENDATION: *Staff recommends to the Board the following findings of fact for Denial:*

- 1) approving the variance will be contrary to the public interest in that the applicant already has three unpermitted signs, and other signage options do not appears to have been explored;*
- 2) special conditions do not exist and there are no hardships which exist that make the placement of a monument sign necessary; and*
- 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 intent on the prohibition of monument signs is to encourage the use of the types of signs now allowed by the Downtown Development District.*

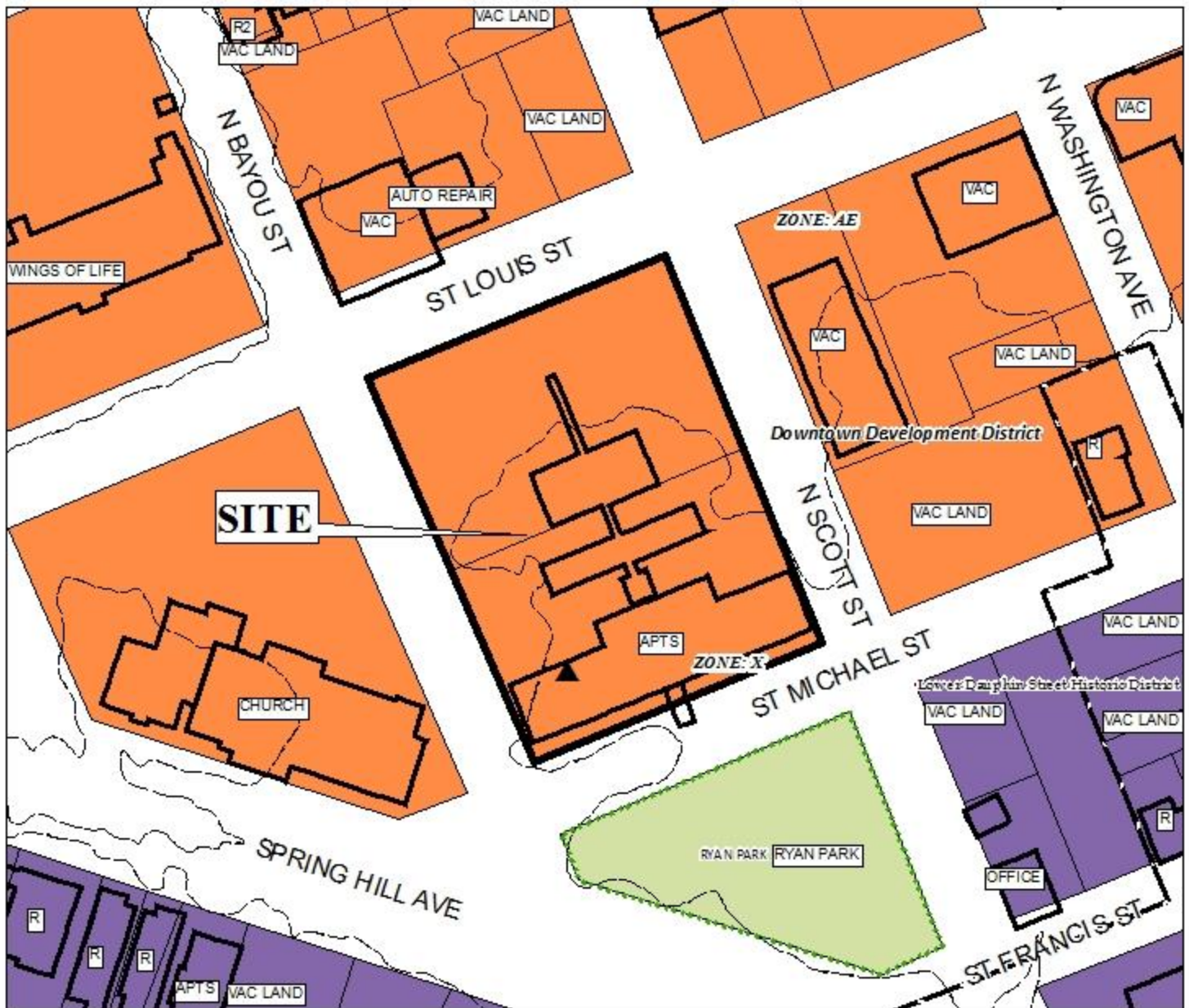
LOCATOR MAP



APPLICATION NUMBER 5931 DATE January 5, 2015
APPLICANT Wrico Signs
REQUEST Sign Variance



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by miscellaneous residential and commercial units.

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REQUEST Sign Variance

R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING ZONING

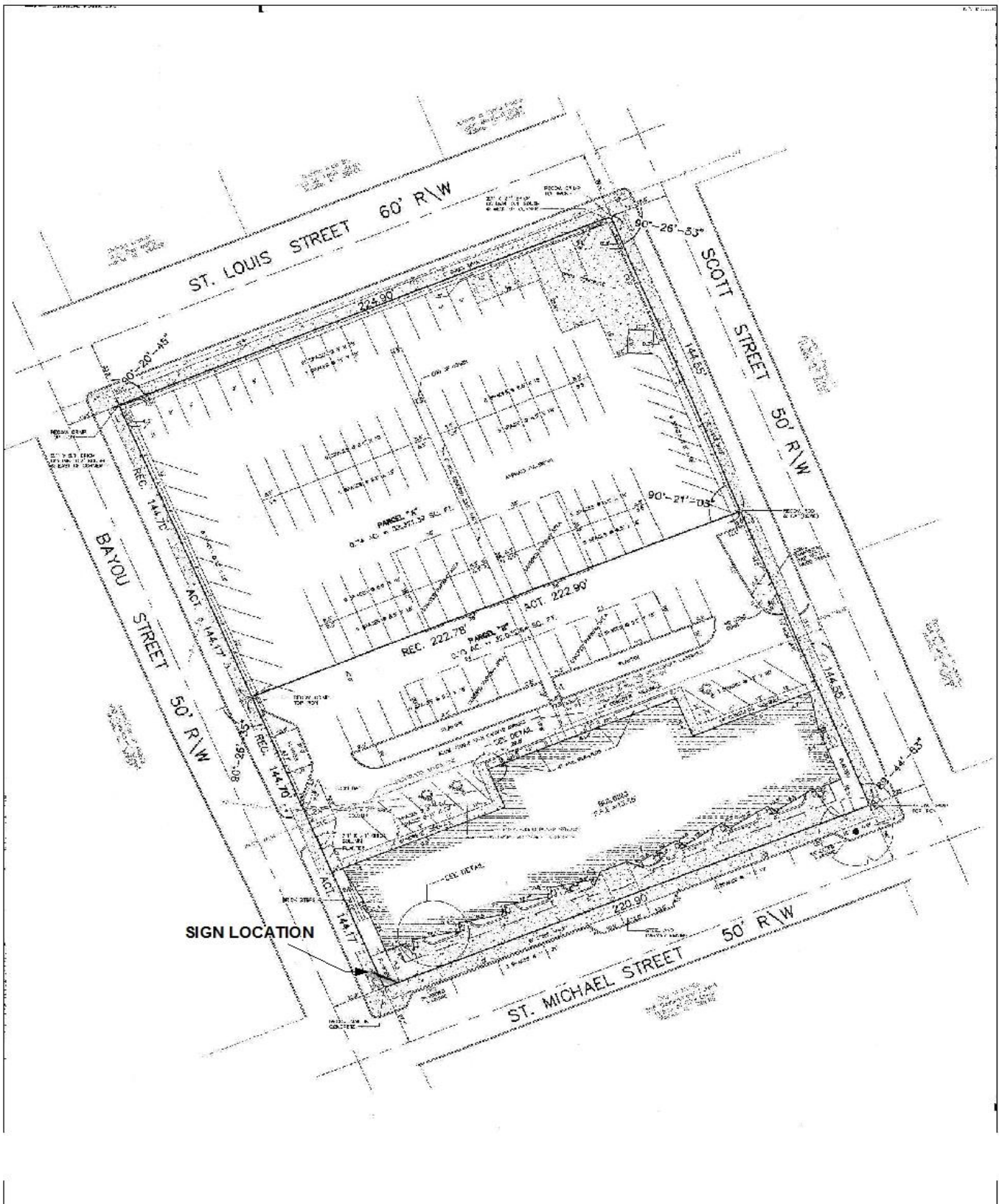


The site is surrounded by miscellaneous residential and commercial units.

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DETAIL SITE PLAN



APPLICATION NUMBER 5931 DATE January 5, 2015
 APPLICANT Wrico Signs
 REQUEST Sign Variance



NTS

DETAIL SITE PLAN



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REQUEST Sign Variance



NTS