

APPLICATION NUMBER

5320

A REQUEST FOR

**SIGN VARIANCE TO ALLOW TWO WALL SIGNS; A
MAXIMUM OF ONE WALL SIGN PER TENANT SPACE IS
ALLOWED ON A MULTI-TENANT SITE WITH ONE
STREET FRONTAGE**

LOCATED AT

171-A EAST I-65 SERVICE ROAD SOUTH

(East side of East I-65 Service Road South, 700' ± South of Emogene Street)

APPLICANT

IMAGE DESIGNS, INC.

OWNER

R.P.I.-RITE DEVELOPMENT

BOARD OF ZONING ADJUSTMENT

SEPTEMBER 2005

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

The applicant states the purpose of the variance is to allow Alltel Wireless to advertise to the maximum potential by allowing an additional 3.75-foot x 11.25-foot illuminated wall sign to be installed on the side elevation facing East I-65 Service Road South. The applicant states the building location has visibility from (side elevation) I-65 Service Road and its access drive (front elevation).

The applicant was issued a sign permit to allow the installation of a 3.75-foot x 7.5-foot illuminated, wall sign, on the front (South) elevation and a 10-foot x 2-foot illuminated tenant panel on an existing freestanding sign. However, the applicant is proposing to add an additional wall sign on the side (West) elevation. Moreover, the center has other tenant spaces and none of the other tenants have proposed a sign on the side elevation. Additionally, the only way to enter the tenant spaces is via the south elevation; there is no entrance along the West side of the building.

The purpose of the Sign Ordinance is to promote the economic well-being of the entire 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 the application 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.

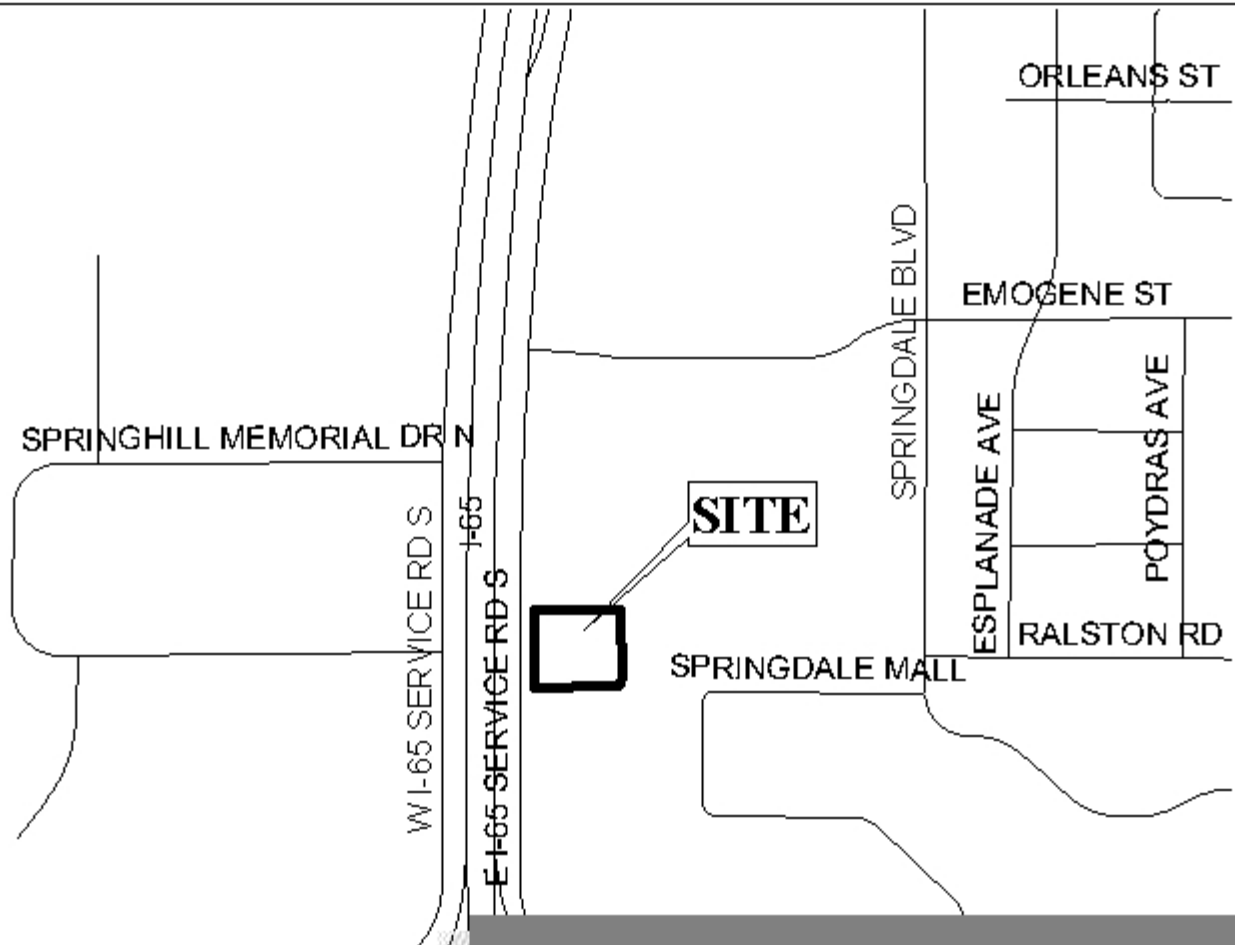
The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application. Additionally, no variance shall be granted unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions 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 Ordinance would result in an unnecessary hardship. It is simply the applicant's desire to have additional signage.

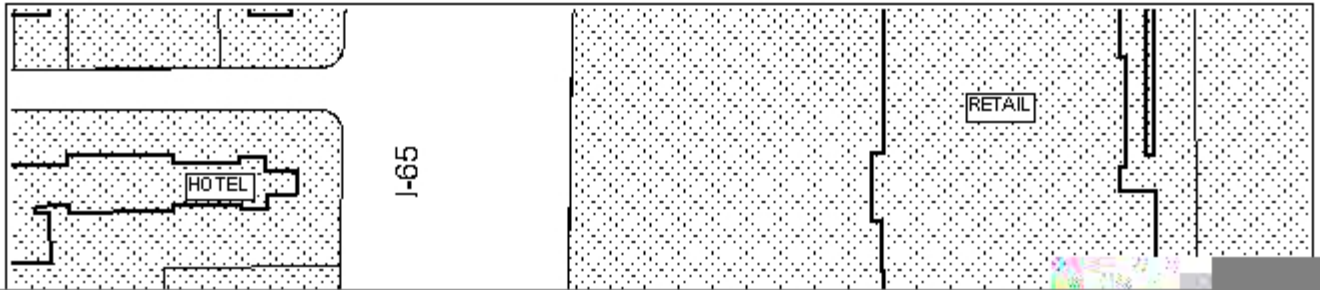
RECOMMENDATION 5320**Date: September 12, 2005**

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

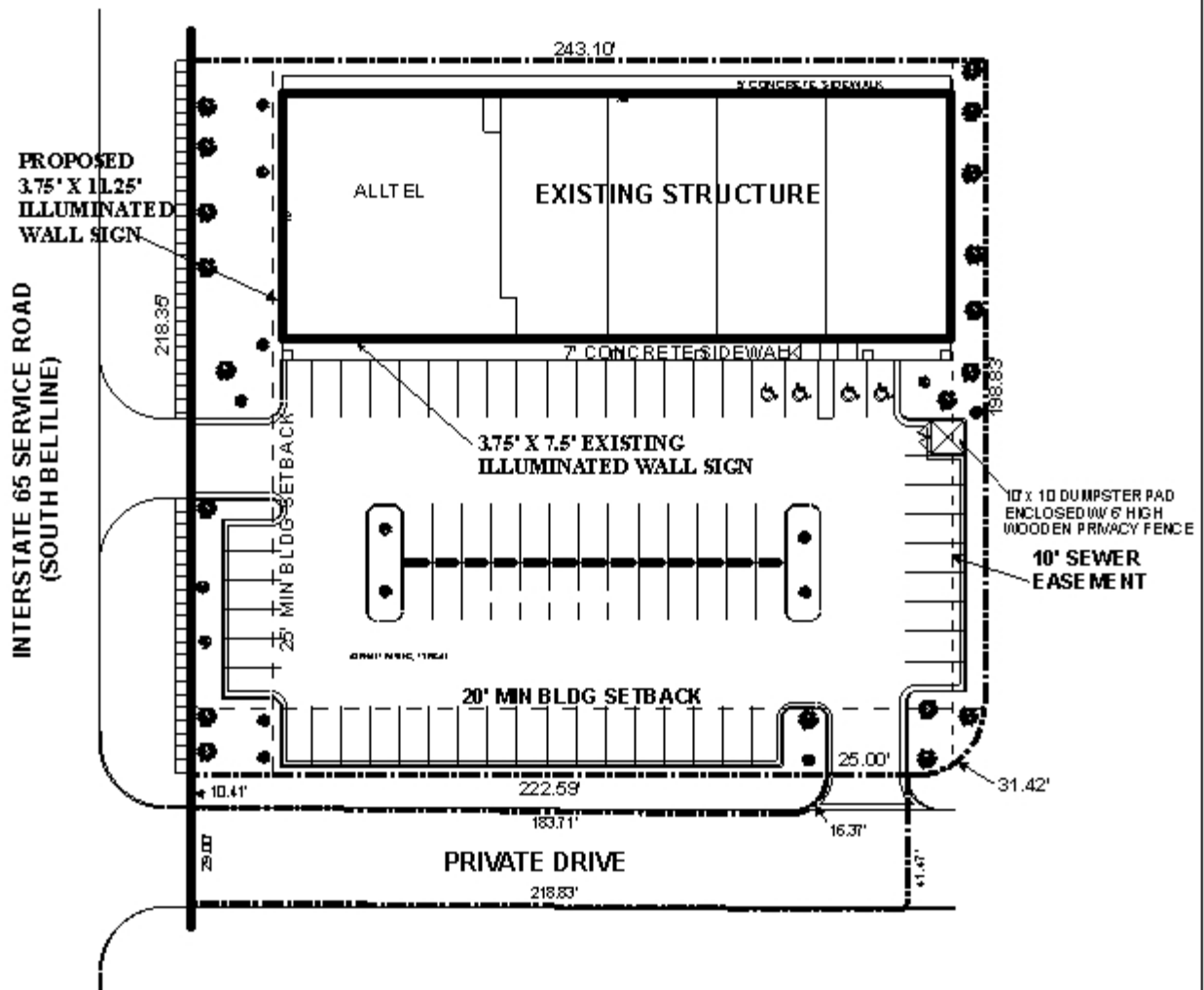
LOCATOR MAP



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



SITE PLAN



The site is located on the East side of Interstate 65 Service Road South, 700' South of Emogene Street. The plan illustrates the existing structure and parking.

APPLICATION NUMBER 5320 DATE September 12, 2005
 APPLICANT Image Designs Inc. (R.P.I.-Rite Development, Owner)
 REQUEST Sign Variance

