

APPLICATION NUMBER

5409

A REQUEST FOR

**SIGN VARIANCE TO ALLOW A SECOND WALL SIGN
(11.7 SQUARE FEET) FOR ONE TENANT (BUSINESS) ON
A MULTI-TENANT SITE; ONLY ONE WALL SIGN PER
BUSINESS IS ALLOWED ON A MULTI-TENANT SITE.**

LOCATED AT

3901 AIRPORT BOULEVARD

(Southwest corner of Airport Boulevard Service Road and Downtowner Loop West)

APPLICANT/AGENT

STAR VISION CENTERS, INC.

OWNER

D L W COMPANY

BOARD OF ZONING ADJUSTMENT

MARCH 2007

The applicant is requesting a Sign Variance to allow a second wall sign (11.7 square feet) for one tenant (business) on a multi-tenant site; only one wall sign per business is allowed on a multi-tenant site.

The subject property is a two-tenant corner site. The Zoning Ordinance allows each tenant one freestanding sign (on a common structure), and one wall sign. The corner unit tenant (Starbuck's Coffee) is allowed one wall sign per street frontage. The applicant is located in the unit adjacent to the corner unit and is subject to the single wall sign limitation. There is currently one un-permitted wall sign on the West roof parapet and the applicant desires an additional wall sign on the front (North) roof parapet adjacent to the existing Starbuck's front wall sign, hence this application.

The applicant states that the purpose of the application is to allow proper signage to direct patients to the doctor's office. It is stated that the positioning of the building is such that proper visual signage is needed to make patients aware of the doctor's office and the services provided. The applicant contends that one sign would not be sufficient to provide hours of operation and services provided, and also states that the property and building are smaller than all surrounding properties and are less obvious.

With regard to the issue of the property being smaller than surrounding properties and needing proper signage to make patients aware of the location, the site is prominently located at a busy street intersection and is marked by a 50'-tall freestanding sign structure with the applicant's business name logo sign being 12'-2" wide by 10'-2" high (122 square feet per face) and placed approximately 12' above ground level. This affords easy visibility along Airport Boulevard and its service road, and from Downtowner Loop West at the intersection with Airport Boulevard Service Road. The existing services-provided wall sign on the West roof parapet is perpendicular to Airport Boulevard and is easily visible from a distance due to the building setbacks of neighboring sites to the West. The applicant currently has better exposure than an interior-unit tenant would have on a larger multi-tenant site.

The purpose of the Sign Regulation section of the Zoning 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.

The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application. Furthermore, the applicant must present 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.

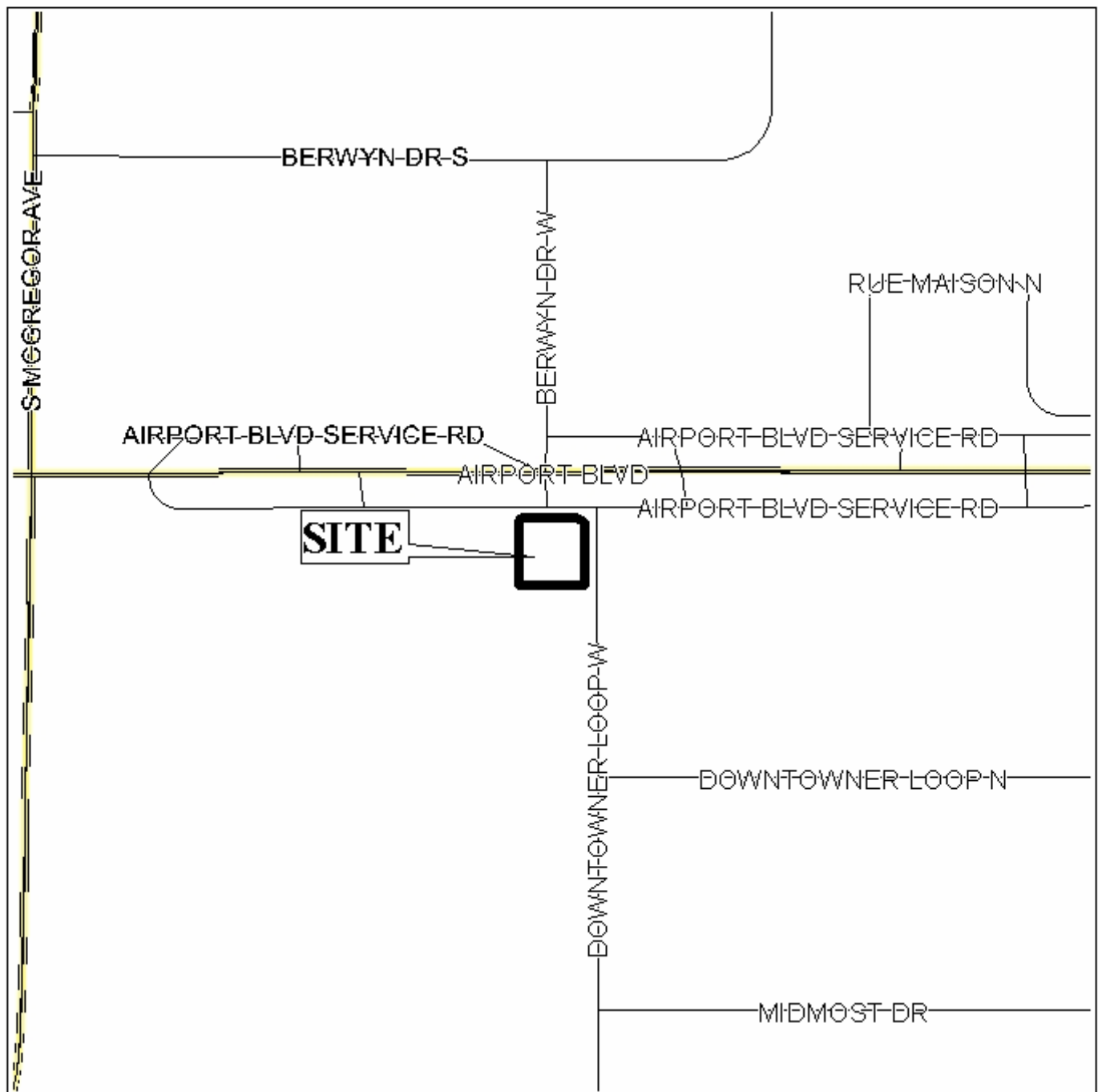
The applicant failed to illustrate that a literal enforcement of the Ordinance would result in an unnecessary hardship. It is simply the applicant's desire to have additional signage.

RECOMMENDATION 5409

Date: March 5, 2007

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

LOCATOR MAP

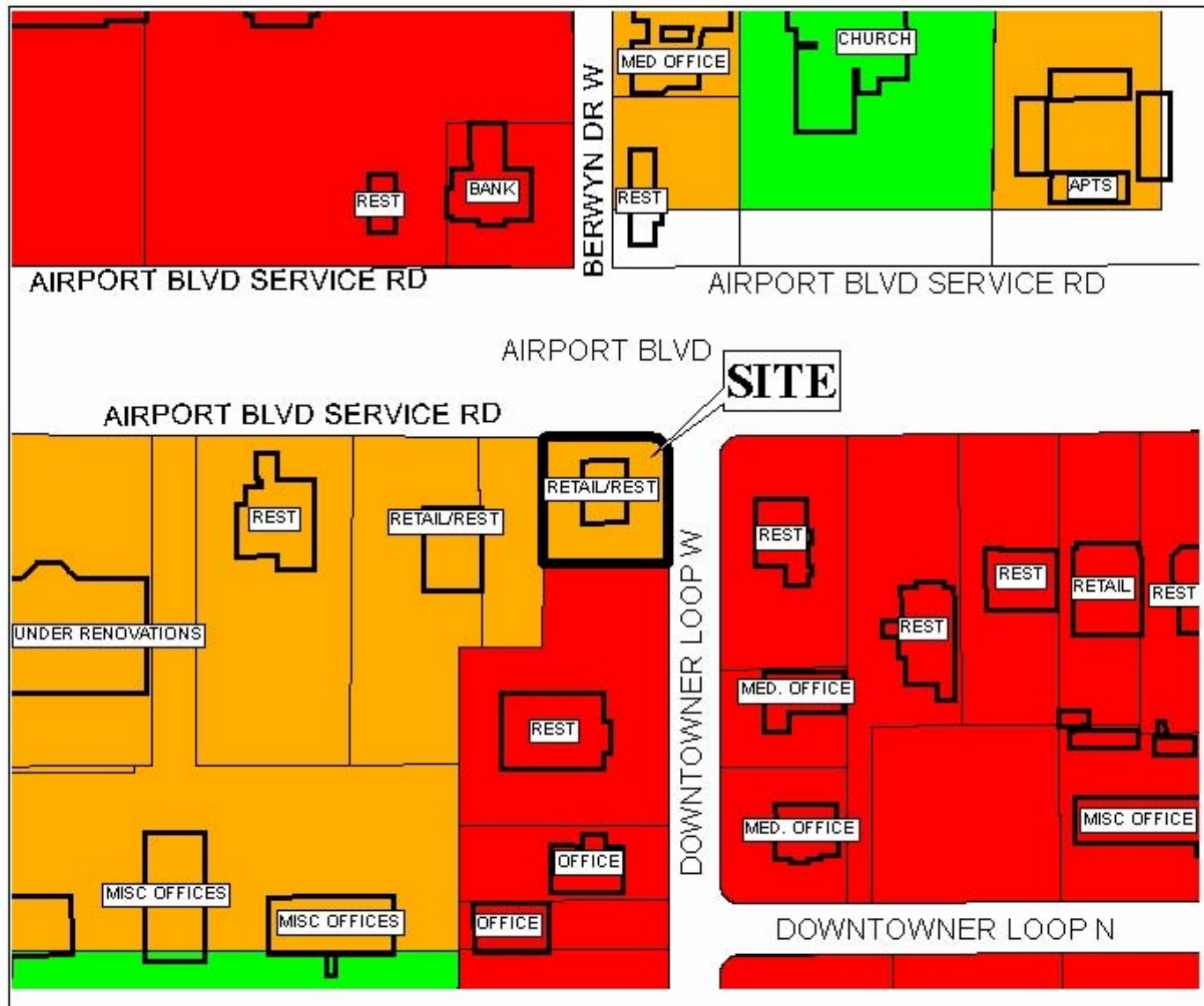


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APPLICANT Star Vision Centers, Inc.
REQUEST Sign Variance



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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial land use.
A church is located to the north of the site.

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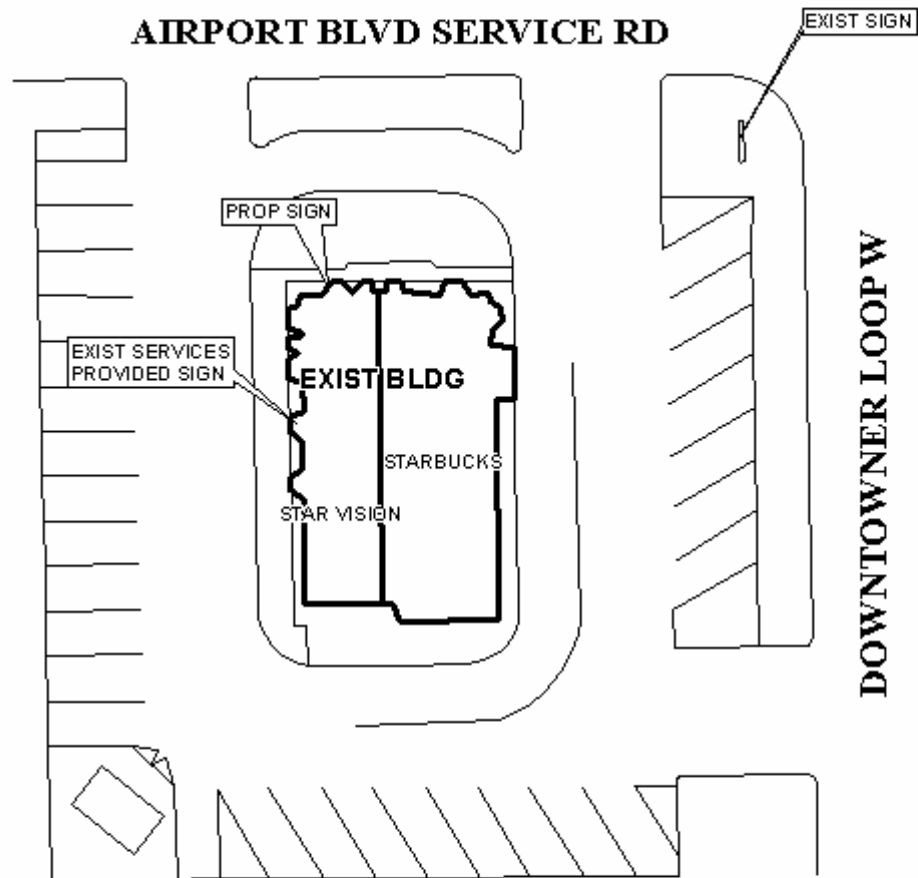
LEGEND

| | | | | | | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----|-----|-----|-----|
| 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 plan illustrates the existing building, parking, and drives

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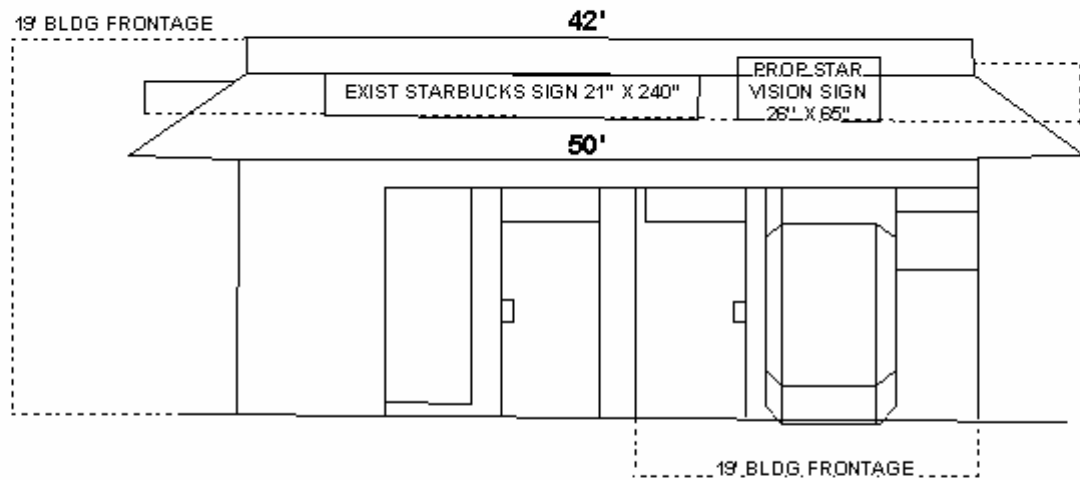
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SIGN DETAIL



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