

APPLICATION NUMBER

5525

A REQUEST FOR

**SIGN VARIANCE TO ALLOW THREE WALL SIGNS FOR
A TENANT ON A MULTI-TENANT SITE IN A B-4,
GENERAL BUSINESS DISTRICT; THE ZONING
ORDINANCE ALLOWS ONE WALL SIGN PER TENANT
ON A MULTI-TENANT SITE IN A B-4, GENERAL
BUSINESS DISTRICT**

LOCATED AT

62 SOUTH ROYAL STREET

(Southwest corner of South Royal Street and Conti Street)

APPLICANT

COWART HOSPITALITY SERVICES, LLC

AGENT

J. MICHAEL COWART

OWNER

WINDWOOD- MOBILE, LLC

BOARD OF ZONING ADJUSTMENT

MARCH 2009

The applicant is requesting a sign variance to allow three wall signs for a tenant on a multi-tenant site in a B-4, General Business District; the Zoning Ordinance allows one wall sign per tenant on a multi-tenant site in a B-4, General Business District.

The applicant states that the subject site was designed and developed under the assumption that it was a single-tenant site. Three hotel signs were installed, along with one restaurant sign (awning with a logo). The applicant received a notice of violation stating that the site is out of compliance with the sign ordinance; hence this application.

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.

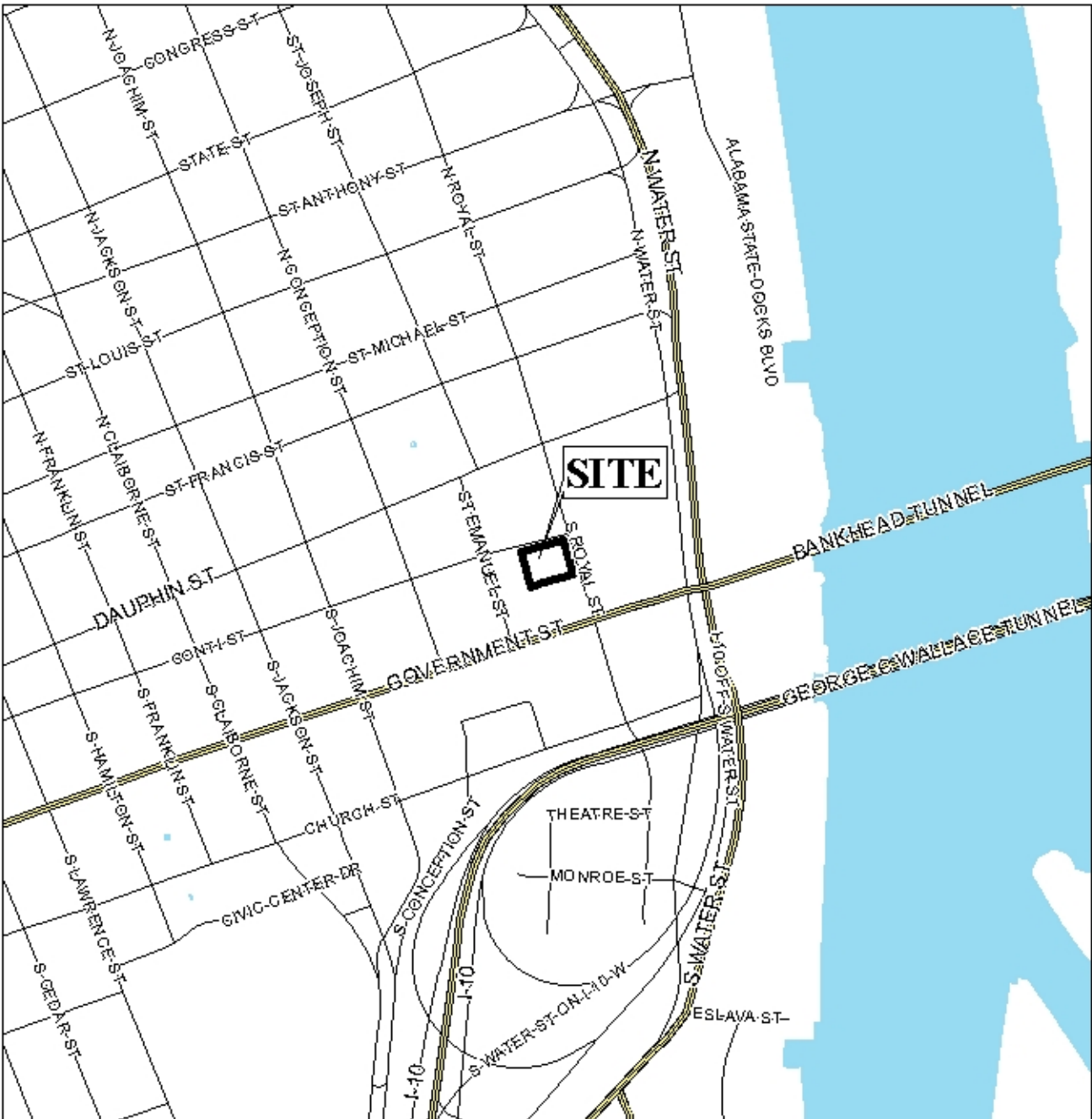
The purpose of the Sign Regulation Provisions is to promote the economic well-being of the entire Mobile community by creating a favorable physical image, to afford the business community an equal and fair opportunity to advertise and promote products and services, and to protect the right of the citizens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

The site in question is located at an intersection, and a corner tenant of a multi-tenant site is allowed one wall sign per street frontage. Therefore, only one of the applicant's wall signs is non-compliant. Furthermore, the applicant's argument that neighboring properties have excess signage (with variances) is correct, with several being along the same street. With that said, the Board may have some justification in granting approval of the applicant's request.

RECOMMENDATION 5525**Date: March 2, 2009**

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

LOCATOR MAP



APPLICATION NUMBER 5525 DATE March 2, 2009 N

APPLICANT Cowart Hospitality Services, LLC (J. Michael Cowart, Agent)

REQUEST Sign Variance



NTS

BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



This site is surrounded by business land use.

APPLICATION NUMBER 5525 DATE March 2, 2009

APPLICANT Cowart Hospitality Services, LLC (J. Michael Cowart, Agent)

REQUEST Sign Variance

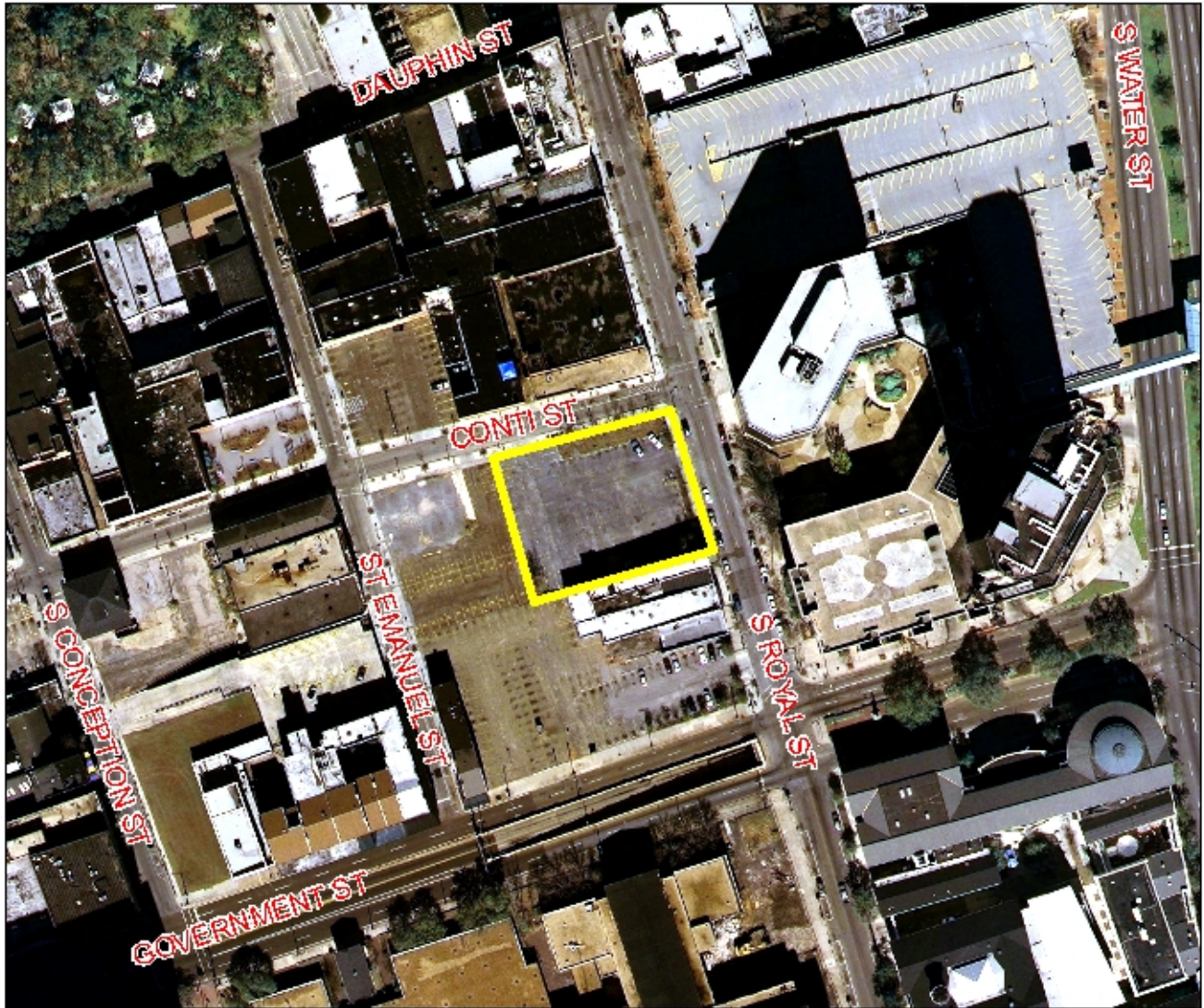
LEGEND

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



This site is surrounded by business land use.

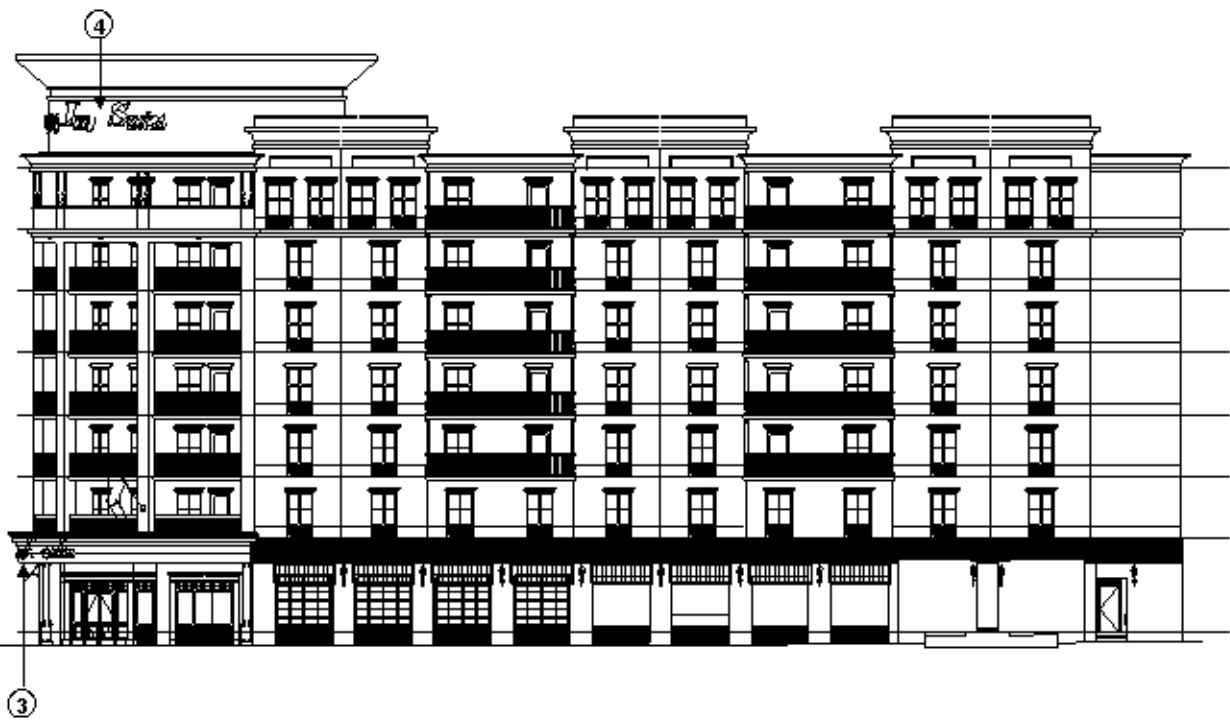
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REQUEST Sign Variance

N
NTS

DETAIL SITE PLAN NORTH ELEVATION



NORTH ELEVATION

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NTS

DETAIL SITE PLAN SOUTH ELEVATION



SOUTH ELEVATION

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APPLICANT Cowart Hospitality Services, LLC (J. Michael Cowart, Agent)

REQUEST Sign Variance



DETAIL SITE PLAN EAST ELEVATION



EAST ELEVATION

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REQUEST Sign Variance

