

**BOARD OF ZONING ADJUSTMENT  
STAFF REPORT****Date: September 11, 2017****CASE NUMBER**

6128/5856/5366

**APPLICANT NAME**

SignArt Co., Inc. (Matt Snyder, Agent)

**LOCATION**1790 West I-65 Service Road South  
(West side of West I-65 Service Rd South, 270' ± North of  
Government Boulevard).**VARIANCE REQUEST****SIGN:** Sign Variance to allow a total of five signs on a single business site, two signs to extend beyond the roofline, and property numbers exceeding one square foot in a B-3, Community Business District.**ZONING ORDINANCE  
REQUIREMENT****SIGN:** The Zoning Ordinance allows a total of three signs on a single business site, requires that no sign structure extend above the roofline, and that property numbers do not exceed one square foot in a B-3, Community Business District.**ZONING**

B-3, Community Business District

**AREA OF PROPERTY**

2.7± acres

**ENGINEERING  
COMMENTS**

No Comments

**TRAFFIC ENGINEERING  
COMMENTS**

No Comments

**CITY COUNCIL  
DISTRICT**

District 4

**ANALYSIS**

The applicant is requesting a Sign Variance to allow a total of five signs on a single business site, two signs to extend beyond the roofline, and property numbers exceeding one square foot in a B-3, Community Business District; the Zoning Ordinance allows a total of three signs on a single business site, requires that no sign structure extend above the roofline, and that property numbers do not exceed one square foot in a B-3, Community Business District.

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 that substantial justice is 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:

*I am submitting this letter on behalf of Northern Tool + Equipment and Oppidan Holdings, LLC. for a Sign Variance at 3400 Government Blvd., Mobile, AL 36692. The current parcel will be divided into two parcels with Northern Tool + Equipment occupying approximately two-thirds of the property to the East/Northeast as shown in the document Mobile, AL SITE #5. The site plan also shows an official layout of the proposed site.*

*I am asking for three variances for the property. Under current sign code for this property, the code will allow a total of three signs for the property. I am asking that four signs be allowed. In addition to this, code will not allow signs to be placed above the principle roofline. I am also asking for a variance to allow two 8' radius logos to be mounted on the parapet entrance towers. The third variance is to request the size and spacing of the address numbers is allowed. Code will only allow the spacing of the numbers to be 1' overall length.*

*Sign visibility for this site is challenging. There are large trees on the Interstate 65/ Highway-90 interchange which makes the building and signage less visible than most businesses on I-65. An additional building sign will help with exposure and identification to the public.*

*The tower entrance is a standard at new construction Northern Tool + Equipment sites. A radius illuminated logo is sized proportionately and will mount so the top of the "N" in the logo is in-line with the bottom of the horizontal roof flashing. The double entrance adds a very nice visible feature and helps increase exposure, especially at low visibility sites. The logos mounted on the entrance towers as explained, is a branding standard for Northern Tool + Equipment. Please see the enclosed example photos from other sites with similar entrances.*

*The address numbers make identification of the building easy for emergency services and the general public. The address numbers are shown at 1' in height. If these were to span 1' in overall length, the numbers would be approximately 2" in height making visibility nearly impossible.*

As stated, the applicant desires to seek relief from the sign requirements of the Zoning Ordinance by establishing more than three (3) signs at a single business site in a B-3, Community Business District. Although the application requests four (4) signs, the drawings provided by the applicant illustrate a total of six (6) proposed signs on the site. The applicant is proposing three wall signs (two of which will extend beyond the principle roofline), two non-illuminated number signs that will exceed 1' square foot, and one freestanding sign. The site will also include a "Parts & Services" sign that will not be included in the sign calculations because it is considered a directional sign.

According to Section 64-11.8.c.(2). of the Zoning Ordinance, "*Building sites with one (1) establishment. Any establishment located on a building site with one (1) establishment may erect signs as follows: Permitted number: Maximum of three (3) signs, but in no case shall two (2) freestanding signs be allowed on the same building site.*". Additionally, Section 64-11.8.c.(2)(a) states "*Maximum size and height : wall, awning, or canopy: Thirty (30) percent of usable wall area not to exceed three hundred fifty (350) square feet, not above roof line*". Lastly, Section 64-11.5.b. states, "*A permit is not required for the following types of signs which meet the criteria set below, and such signs shall not be considered in determining the allowable number of size or signs on a lot. (b) Signs not exceeding one (1) square foot in area and bearing only property numbers, post office box numbers, names of occupants of premises, or other identifications of premises not having commercial connotations.*"

The applicant states that this variance request is based on the design standard for Northern Tool + Equipment company. The applicant also argues that sign visibility is an issue due to the location of the building near an interstate exchange obstructed from view due to large trees. Many of the signs, such as the Northern Tool + Equipment logo signs and the number signs, according to the drawings, are duplicate signs. The illustration shows identical "NT" signs and identical number signs all on the northern exterior. The applicant has not explained the necessity, aside from design standards, to erect duplicate signs. In regards to visibility, the applicant is proposing a 35' freestanding sign near the Service Road although it should be noted that the applicant would be allowed to have its freestanding sign up to 100' in height due to the proximity to the interstate. This sign will exceed the height of the proposed wall signs. Although, according to aerial images, there are trees in the vicinity that may obstruct view from the interstate, it could be argued that the freestanding sign could be oriented to address the interstate rather than the Service Road.

It should be noted that the sign regulations of the Zoning Ordinance have been enacted to protect the health, safety, and welfare of the citizens of the City of Mobile and the general aesthetics of the city by providing for uniform standards for the locations, spacing, height, setback, lighting, and other regulation of off-premise and on-premise signs within the city.

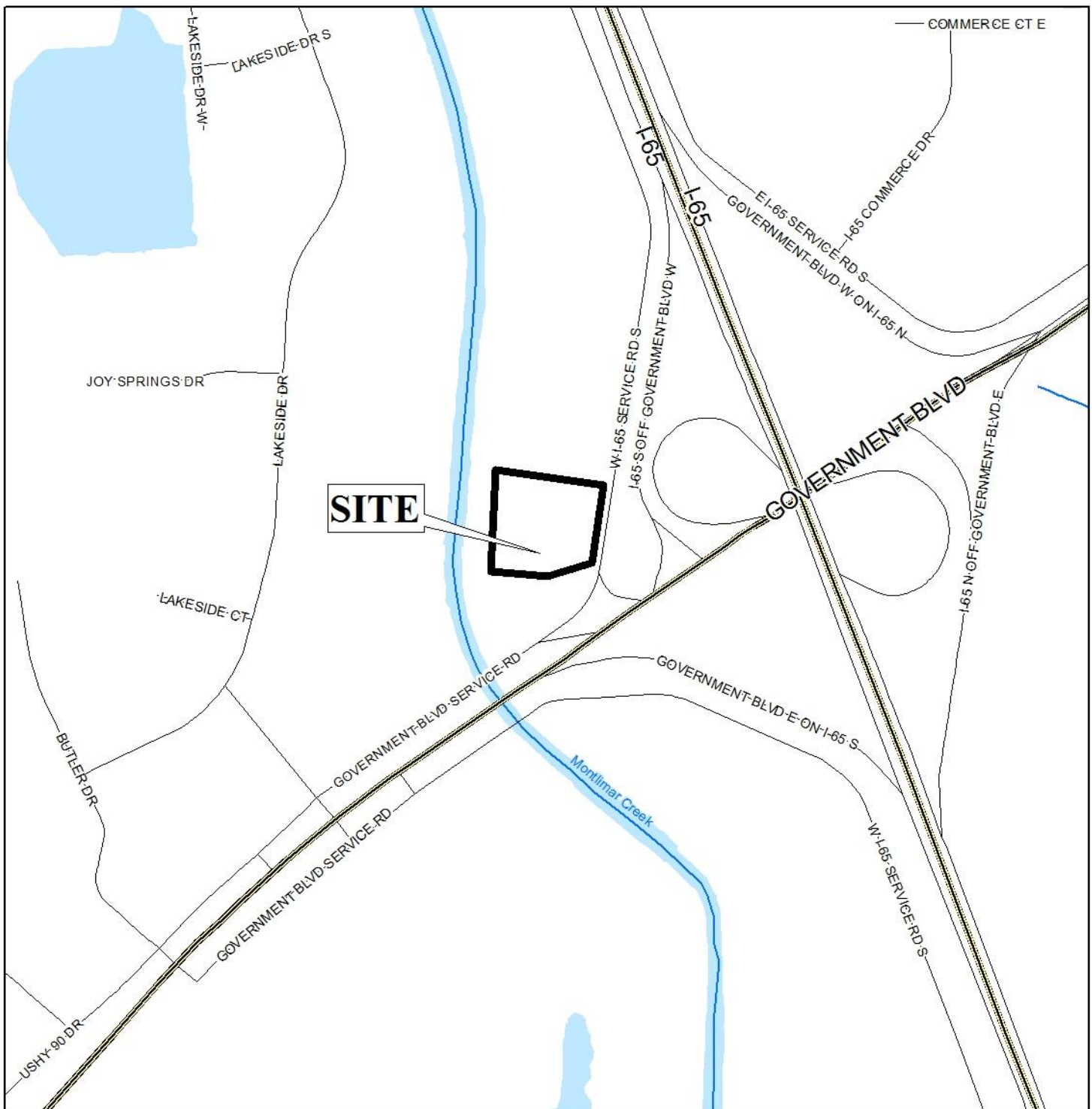
There are no conditions which exist at this site that require three additional signs at this location. The applicant could eliminate one of each of the duplicate wall signs as well as the number signs in order to become compliant with the sign requirements regarding the maximum number of signs established by the Zoning Ordinance. In regards to the number signs, the applicant could revise them to reflect a compliant 1' square foot dimension and they would not be counted toward the total number of signs. It seems that it is simply the applicant's desire to remain

consistent with the company's branding guidelines and not a direct necessity to have a total of six (6) signs. The applicant mentions visibility being a factor in the request for additional signage however; the freestanding sign can be up to 100' in height and be visible to vehicular traffic traveling along West I-65 Service Road South, Government Boulevard, and Interstate 65. There are trees in the immediate vicinity that could impair visibility of the development to vehicular traffic however; the applicant has the option to reorient the freestanding sign for better visibility.

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

- 1) Approving the variance will be contrary to public interest in that the Zoning Ordinance does not allow more than three (3) signs total or signs above the roofline in a B-3, Community Business District;
- 2) Special conditions do not exist and there are no hardships which exist that make the placement of the proposed additional signs or signs above the roofline necessary;
- 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 site can be developed without exceeding the required number of signs.

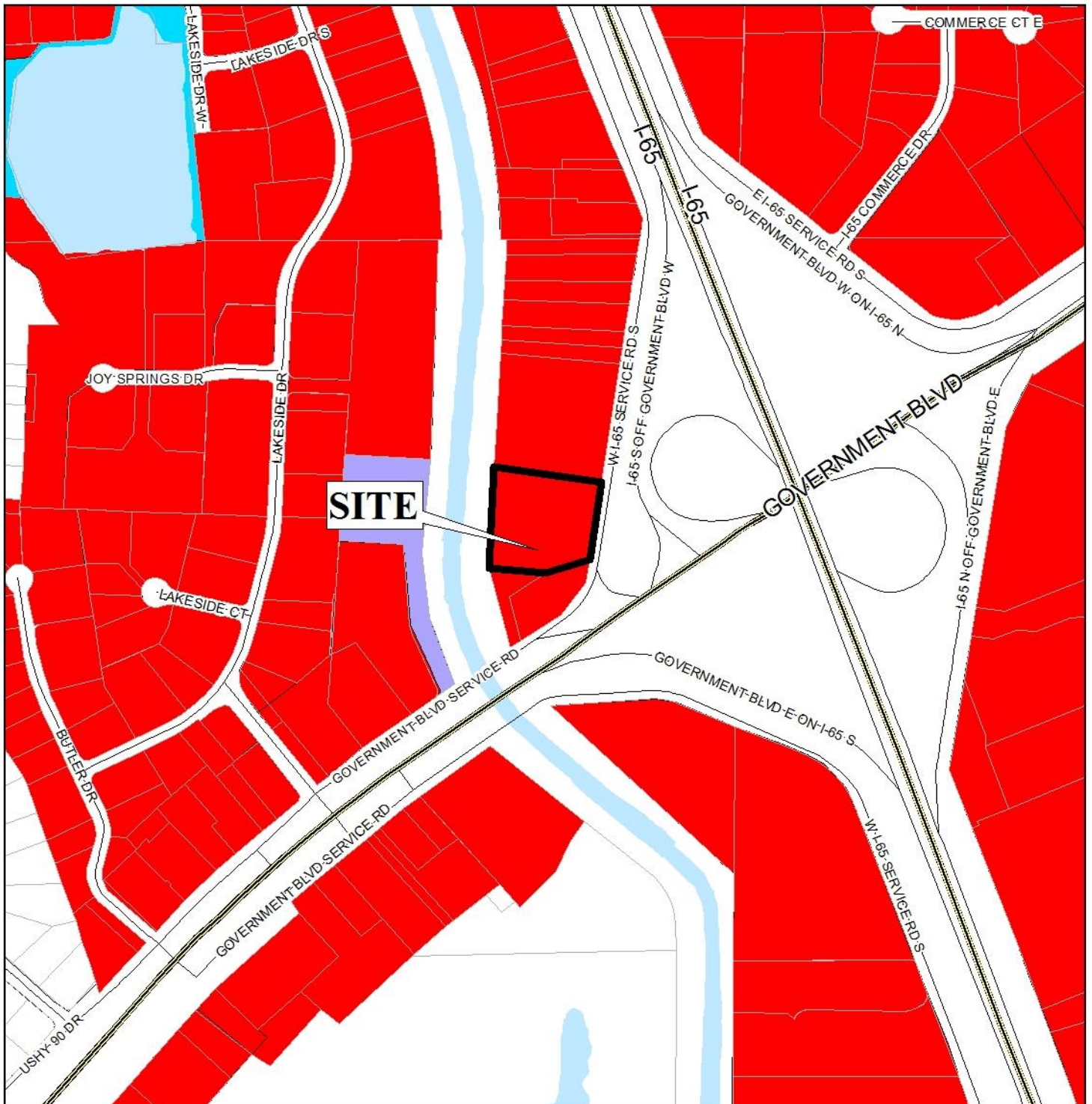
# LOCATOR MAP



APPLICATION NUMBER 6128 DATE September 11, 2017  
 APPLICANT SignArt Co., Inc. (Matt Snyder, Agent)  
 REQUEST Sign Variance



# LOCATOR ZONING MAP



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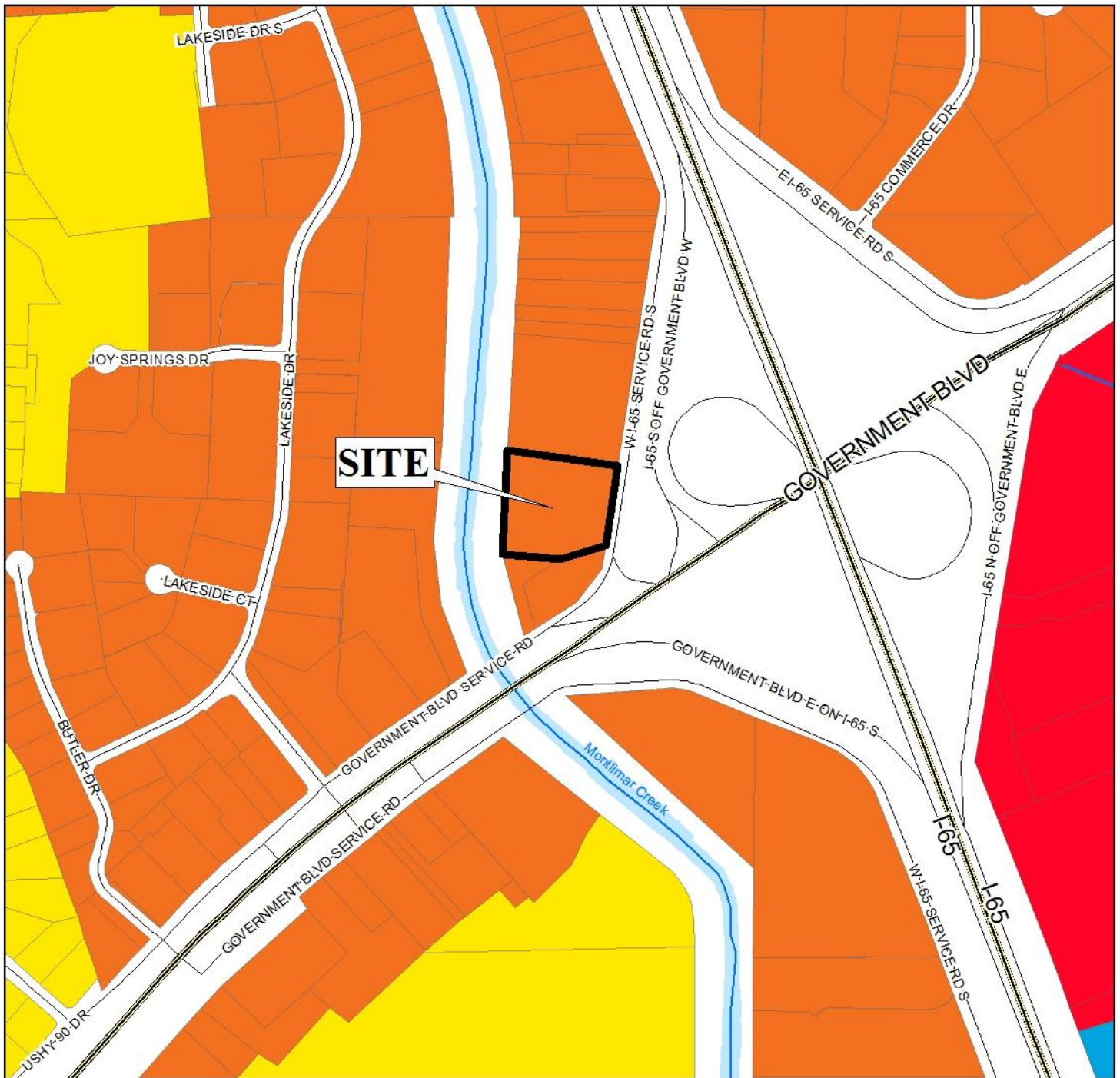
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REQUEST Sign Variance





# FLUM LOCATOR MAP



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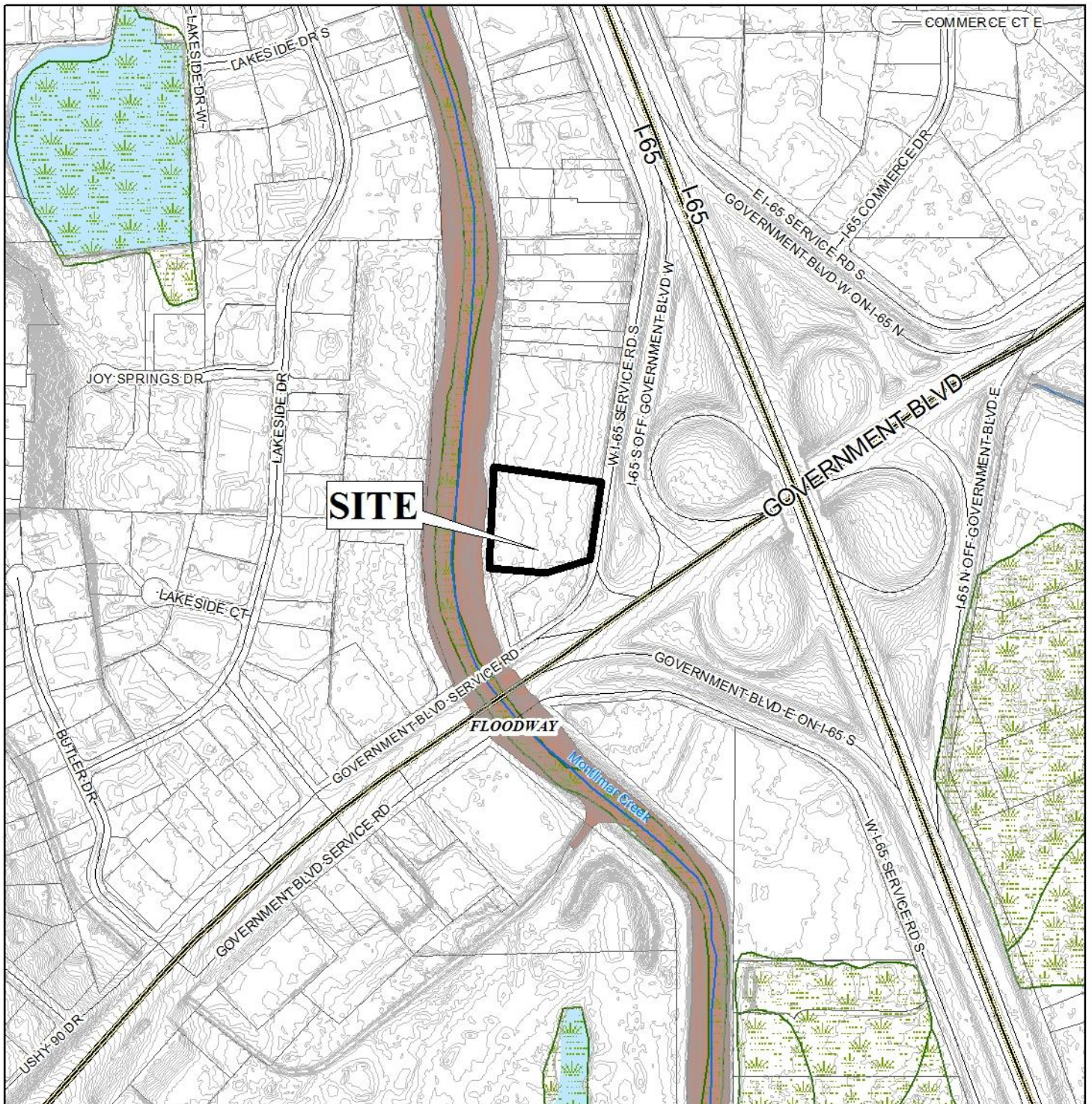
REQUEST Sign Variance

Low Density Residential	Neighborhood Center- Traditional	Downtown Waterfront	Water Dependent
Mixed Density Residential	Traditional Corridor	Light Industry	Parks & Open Space
Downtown	Neighborhood Center- Suburban	Heavy Industry	
District Center	Mixed Commercial Corridor	Institutional	





# ENVIRONMENTAL LOCATOR MAP

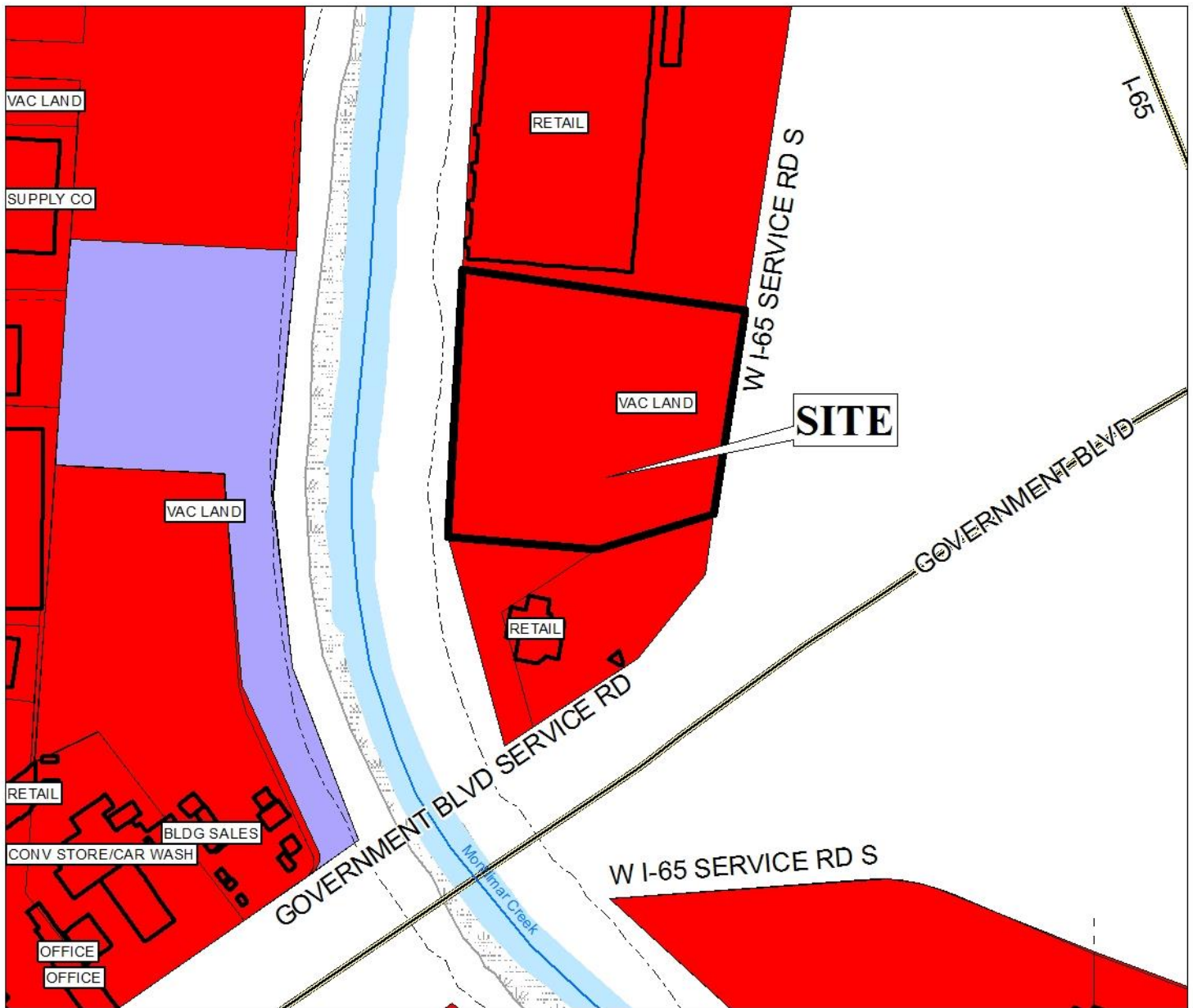


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# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

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<span style="display: inline-block; width: 15px; height: 15px; background-color: cyan; border: 1px solid black;"></span> R-A	<span style="display: inline-block; width: 15px; height: 15px; background-color: green; border: 1px solid black;"></span> R-3	<span style="display: inline-block; width: 15px; height: 15px; background-color: brown; border: 1px solid black;"></span> T-B	<span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black;"></span> B-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: blue; border: 1px solid black;"></span> B-5	<span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> MUN	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightcoral; border: 1px solid black;"></span> SD-WH	<span style="display: inline-block; width: 15px; height: 15px; background-color: purple; border: 1px solid black;"></span> T5.1
<span style="display: inline-block; width: 15px; height: 15px; background-color: white; border: 1px solid black;"></span> R-1	<span style="display: inline-block; width: 15px; height: 15px; background-color: pink; border: 1px solid black;"></span> R-B	<span style="display: inline-block; width: 15px; height: 15px; background-color: cyan; border: 1px solid black;"></span> B-1	<span style="display: inline-block; width: 15px; height: 15px; background-color: red; border: 1px solid black;"></span> B-3	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightblue; border: 1px solid black;"></span> I-1	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightgreen; border: 1px solid black;"></span> OPEN	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightpink; border: 1px solid black;"></span> T3	<span style="display: inline-block; width: 15px; height: 15px; background-color: darkpurple; border: 1px solid black;"></span> T5.2
<span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> R-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: peachpuff; border: 1px solid black;"></span> H-B	<span style="display: inline-block; width: 15px; height: 15px; background-color: purple; border: 1px solid black;"></span> LB-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: brown; border: 1px solid black;"></span> B-4	<span style="display: inline-block; width: 15px; height: 15px; background-color: gray; border: 1px solid black;"></span> I-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightcoral; border: 1px solid black;"></span> SD	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightpurple; border: 1px solid black;"></span> T4	<span style="display: inline-block; width: 15px; height: 15px; background-color: darkblue; border: 1px solid black;"></span> T6





# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



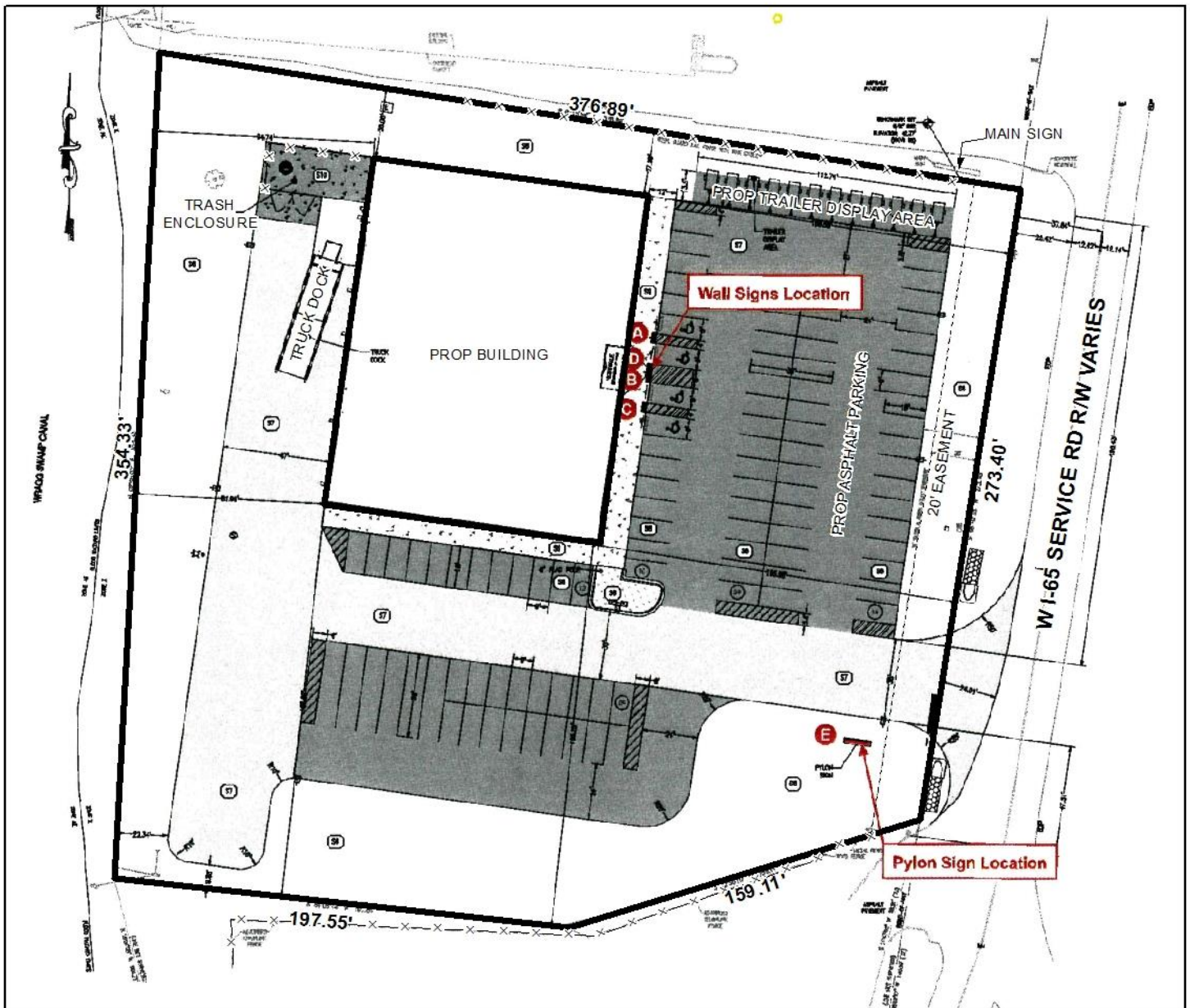
The site is surrounded by commercial units.

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# SITE PLAN



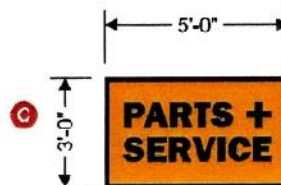
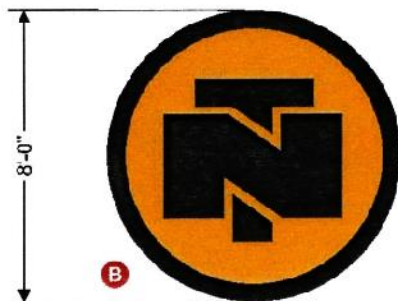
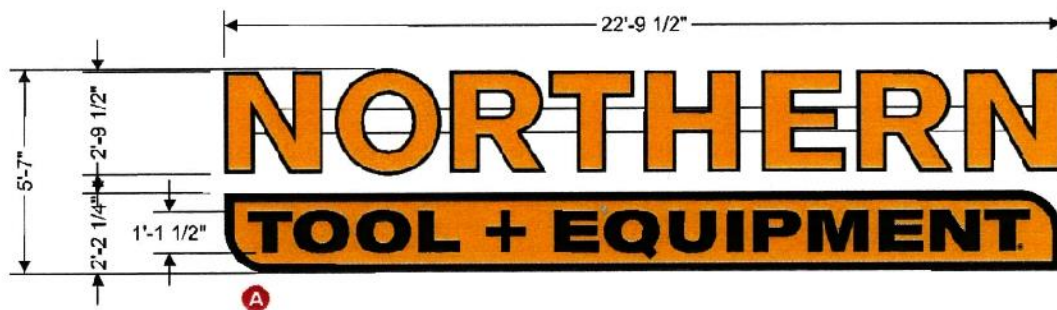
The site plan illustrates the proposed building, proposed drive, proposed asphalt parking, and setback.

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# DETAIL SITE PLAN



(2) Sets Non-Illuminated Address Numbers  
flat cut out stud mount aluminum numbers

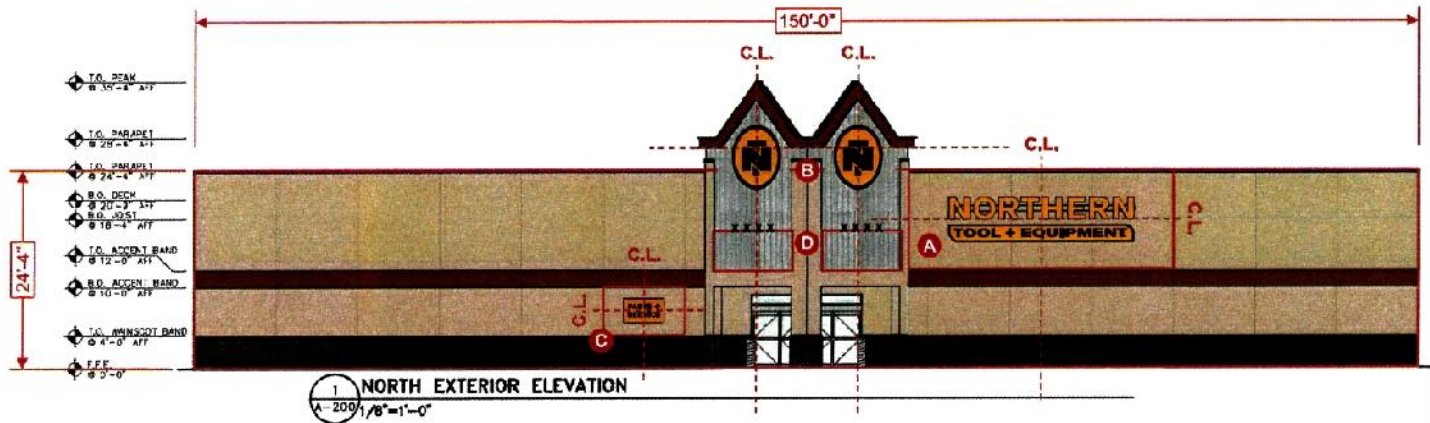
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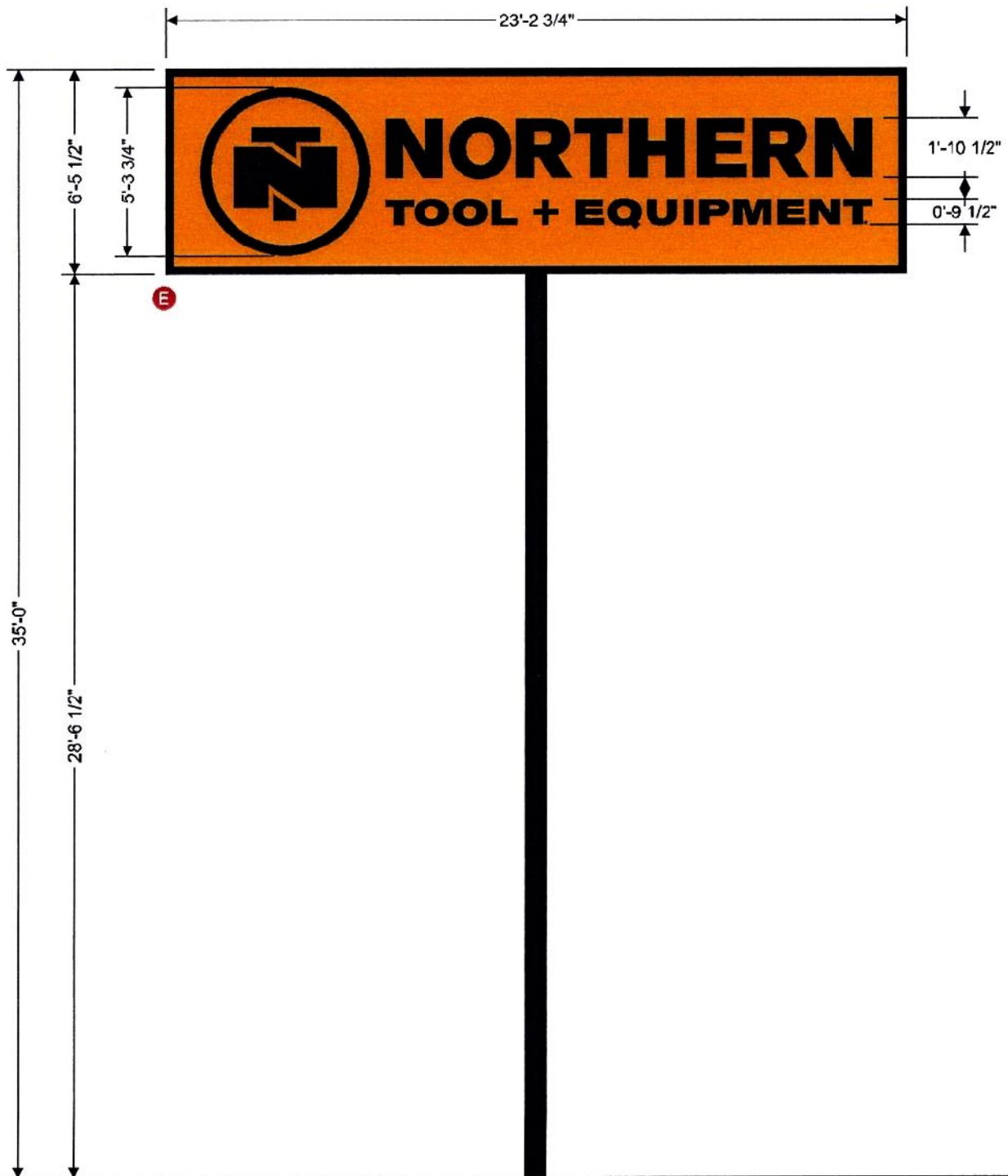
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