

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: October 7, 2019****CASE NUMBER**

6283/5765

APPLICANT NAME

Advantage Sign Company, LLC

LOCATION4439 Rangeline Road
(Northwest corner of Rangeline Road and Halls Mill Road).**VARIANCE REQUEST****SIGN:** Sign Variance to enlarge an existing non-conforming sign in a B-3, Community Business District.**ZONING ORDINANCE
REQUIREMENT****SIGN:** The Zoning Ordinance requires that non-conforming signs come into full compliance with the Sign Regulations should they ever be structurally altered in a B-3, Community Business District.**ZONING**

B-3, Community Business District

AREA OF PROPERTY

2.0± Acres

**ENGINEERING
COMMENTS**

No comments.

**TRAFFIC ENGINEERING
COMMENTS**

No comments.

**CITY COUNCIL
DISTRICT**

District 4

ANALYSIS

The applicant is requesting a Sign Variance to enlarge an existing non-conforming sign in a B-3, Community Business District; the Zoning Ordinance requires that non-conforming signs come into full compliance with the Sign Regulations should they ever be structurally altered in a B-3, Community Business District.

The site has been given a District Center (DC) land use designation per the adopted Future Land Use Plan and Map. The Future Land Use Plan and Map complements and provides additional detail to the Development Framework Maps in the Map for Mobile, adopted by the Planning Commission at its November 5, 2015 meeting. This designation acknowledges existing commercial development that is spread along Mobile's transportation corridors in a conventional strip pattern or concentrated into shorter segments of a corridor.

This designation applies across the city to larger areas of existing mixed-use character or where such character is encouraged. These areas will include moderate to high-density residential (minimum densities of 6 dwelling units per acre) in dynamic, horizontal or vertical mixed use environments, to provide a balance of housing and employment.

District Centers (DC) generally serve several surrounding neighborhoods and may even have a city-wide or region-wide reach. As such, they are often anchored by a major commercial or institutional employer such as a shopping mall or a medical center.

Depending on location and assigned zoning, residential areas in District Centers may incorporate a mix of housing types, ranging from mid-rise multifamily buildings containing apartments and lofts, to townhouses and detached single-family homes. Major civic cultural institutions and public spaces provide regional and neighborhood destinations.

District Centers should be designed to induce pedestrian activity, with high quality streetscapes connecting the different components of a center as well as the center to its surrounding area. DC districts may be served by transit and include development of an intensity and design that supports transit use.

It should be noted that the Future Land Use Plan and Map components of the Map for Mobile Plan are meant to serve as a general guide, not a detailed lot and district plan. In many cases the designation on the new Future Land Use Map may match the existing use of land, but in others the designated land use may differ from what is on the ground today. As such, the Future Land Use Plan and Map allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and, where applicable, the zoning classification.

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 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 applicant states:

#1 Purpose. To allow the existing non-conforming sign to Be enlarged by adding an identification name to the sign. They Have 300' of frontage and the sign is now 128 sq ft.

#2 Conditions. The location of the existing sign has not been moved. The sign does not meet the 18" setback requirements. However DOT has approved for the sign to remain in its original position.

#4 Neighboring properties. All the properties surrounding the site are commercial.

The site had a previous variance to allow multiple non-conforming signs (four wall signs, one on-premise monument sign, two on-premise freestanding pylon tenant panel signs, and one off-premise freestanding pylon tenant panel sign) to remain when one was altered. The site has since been redeveloped from one lot with a single business, to two lots; one with multiple businesses, and one with a single business. Both lots are utilizing an existing monument sign structure that partly extends into the right-of-way, and therefore does not meet the required setback of 18 inches from the property line. Because the sign structure was non-conforming, having existed prior to annexation, the sign would be allowed to remain with the structure unaltered. However, the applicant increased the size of the sign when adding the name of the new shopping center to the top of the sign. When non-conforming signs are altered, they are required to come into compliance, which in this instance; means the structure would have to be relocated to meet the required setback.

As the subject sign extends into an ALDOT controlled right-of-way, the applicant contacted ALDOT, and has submitted documentation verifying that until such a time as the sign is required to be relocated due to a roadway project, they will allow the sign to remain in its current location. It should be noted that the sign extends three inches into the right-of-way, and that the sign was increased by a total of 32 square feet per face.

Given that the sign structure existed prior to annexation, the addition to the sign structure does not result on any line-of-sight concerns for traffic, and ALDOT is allowing the sign to remain in place for the time being, approval of the request may be appropriate.

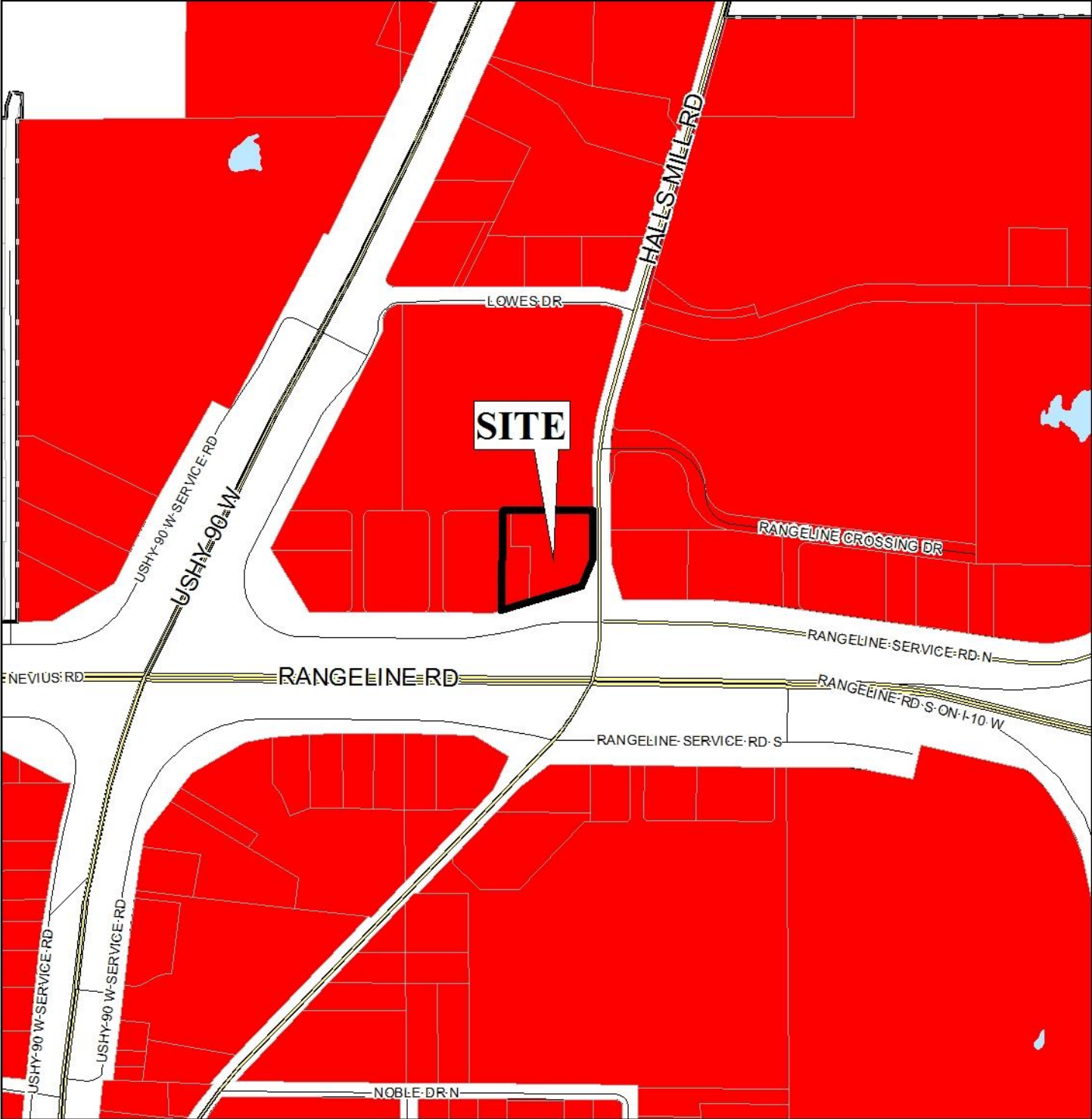
RECOMMENDATION: Staff recommends to the Board the following findings of fact:

- 1) Approving the variance will not be contrary to the public interest in that ALDOT has given approval for the sign to remain in its current location for the time being;
- 2) These special conditions exist such that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship in that the sign structure has existed in this location since before annexation; and
- 3) That the spirit of the chapter shall be observed and substantial justice shall be done to the applicant and the surrounding neighborhood by granting the variance in the alterations to the sign structure do not result in line-of-sign concerns for traffic.

Therefore, the allowance for increased signage is recommended for Approval, subject to the following conditions:

- 1) If the sign is ever required to be relocated due to a roadway project, it must be placed in a location that meets all required setbacks; and
- 2) Obtain sign permits for all tenant panels.

LOCATOR ZONING MAP



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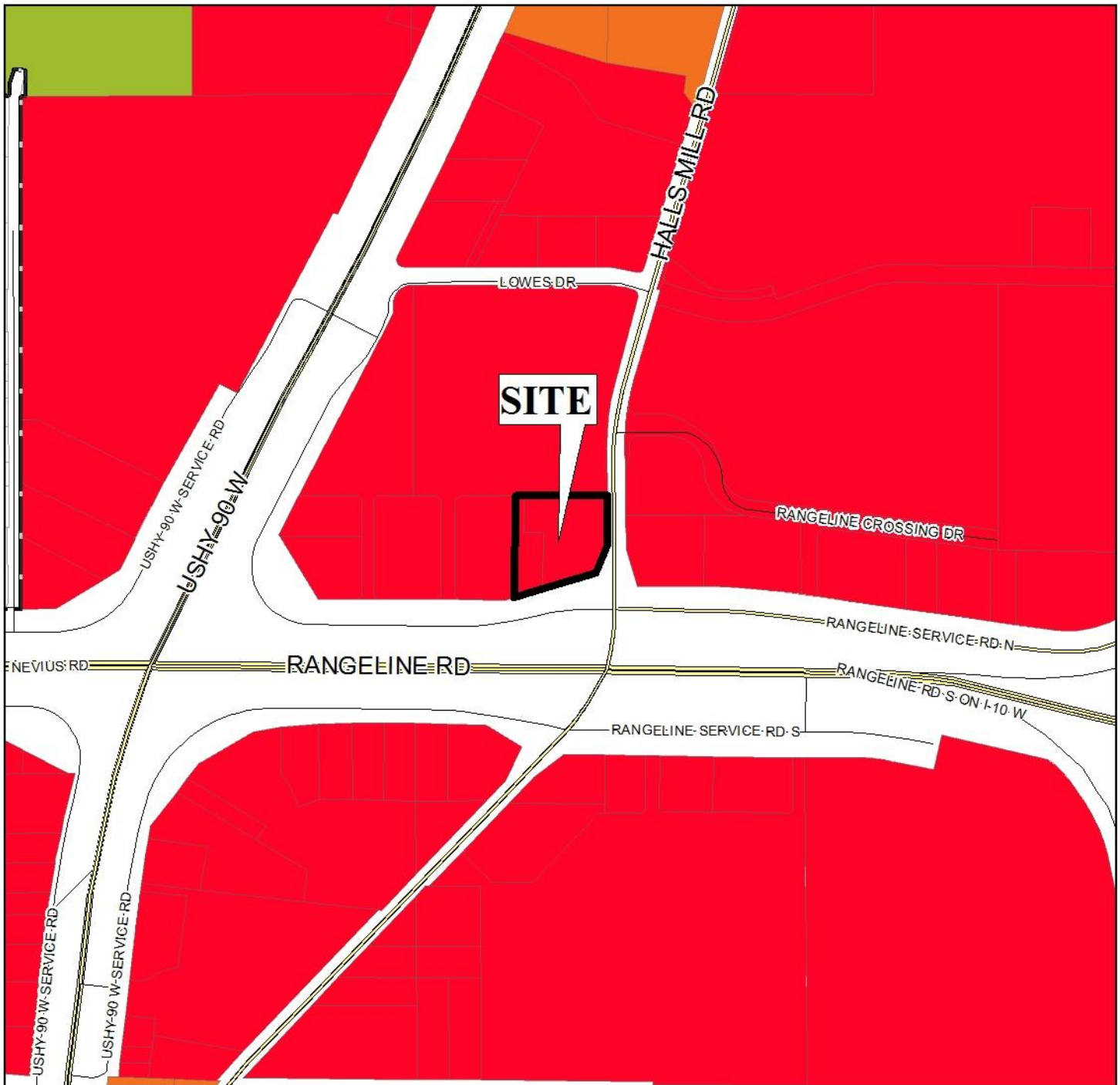
APPLICANT Advantage Sign Company LLC

REQUEST_____Sign Variance



NTS

FLUM LOCATOR MAP



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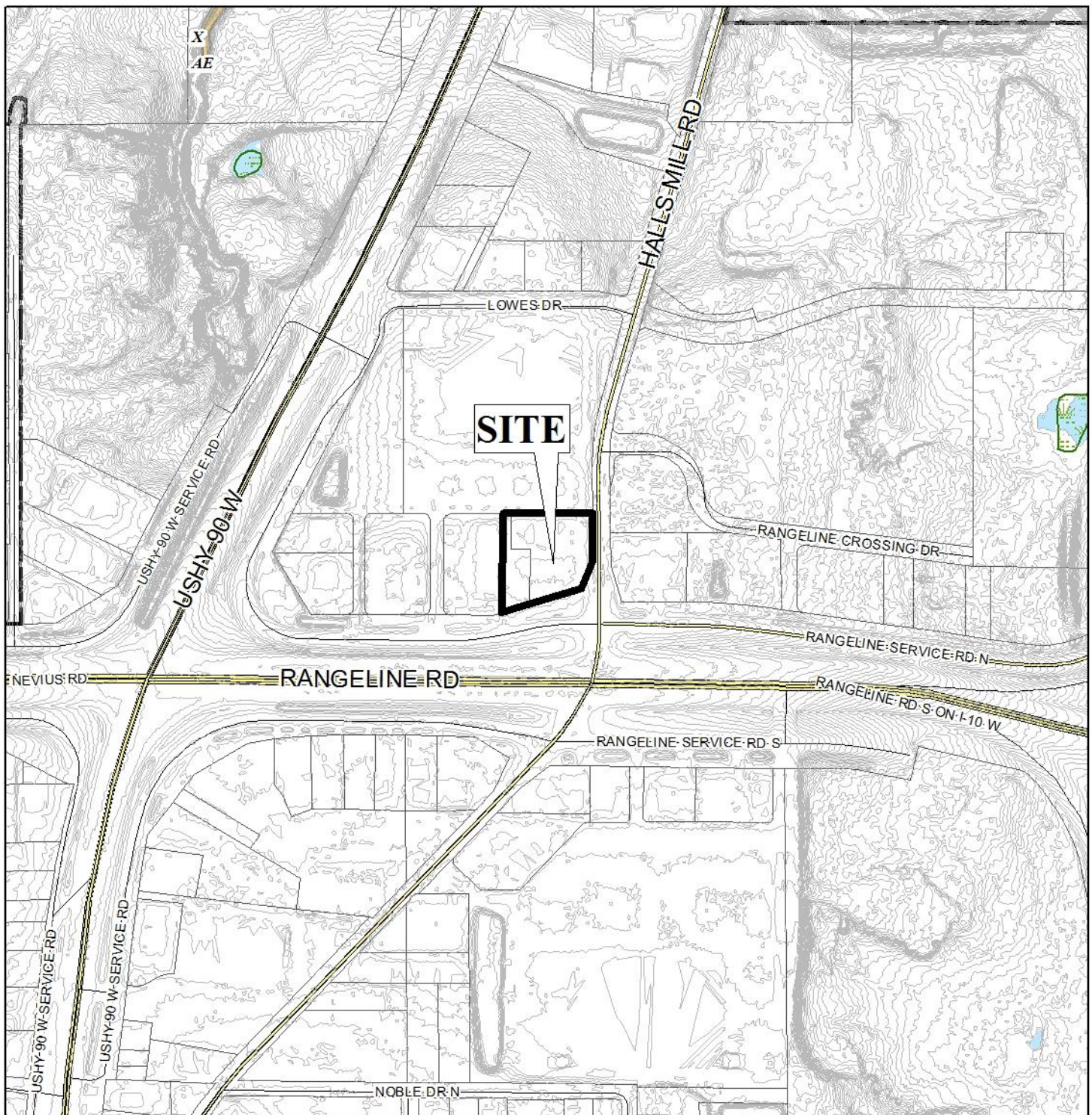
APPLICANT Advantage Sign Company LLC

REQUEST Sign Variance

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



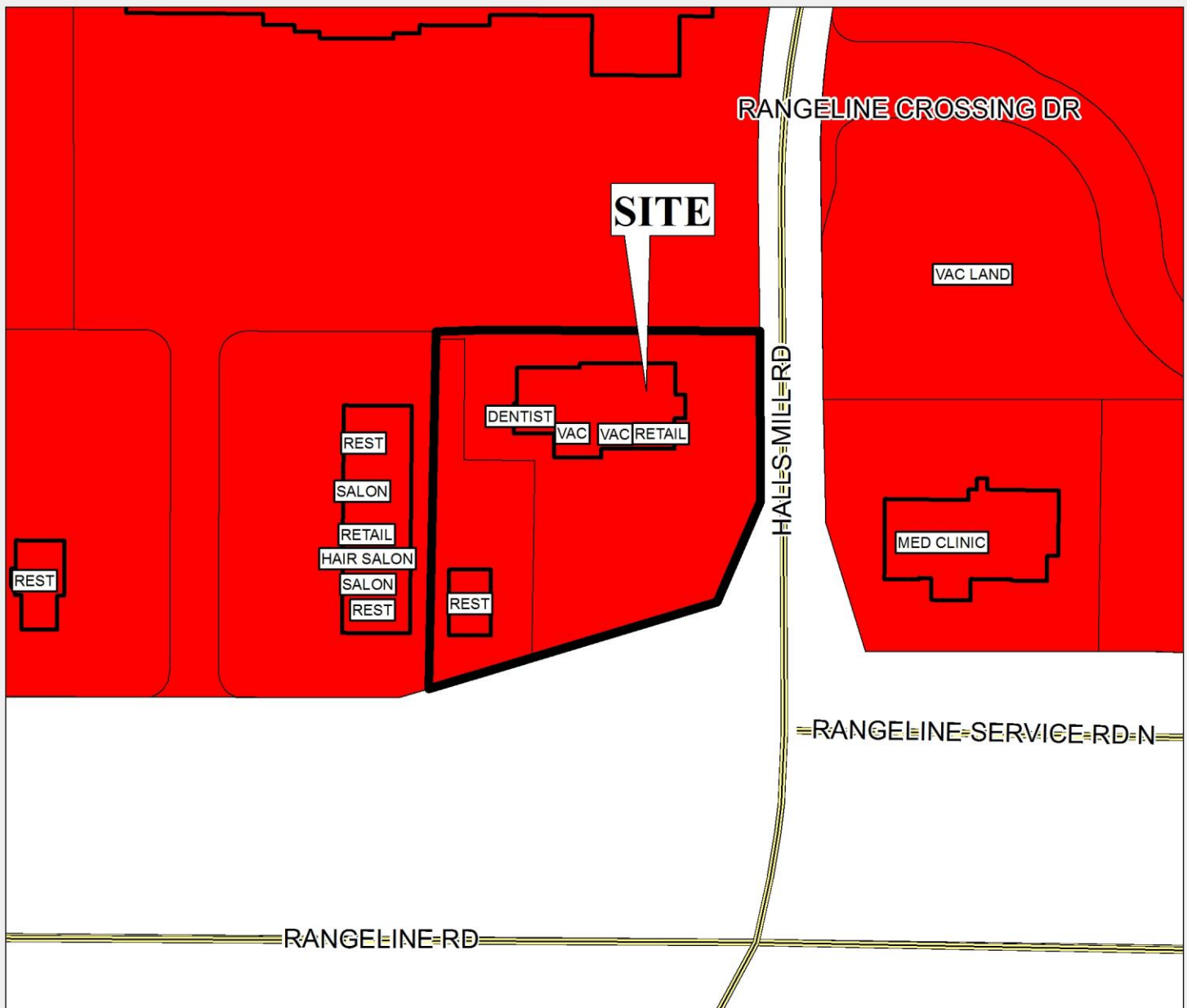
ENVIRONMENTAL LOCATOR MAP



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REQUEST Sign Variance



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

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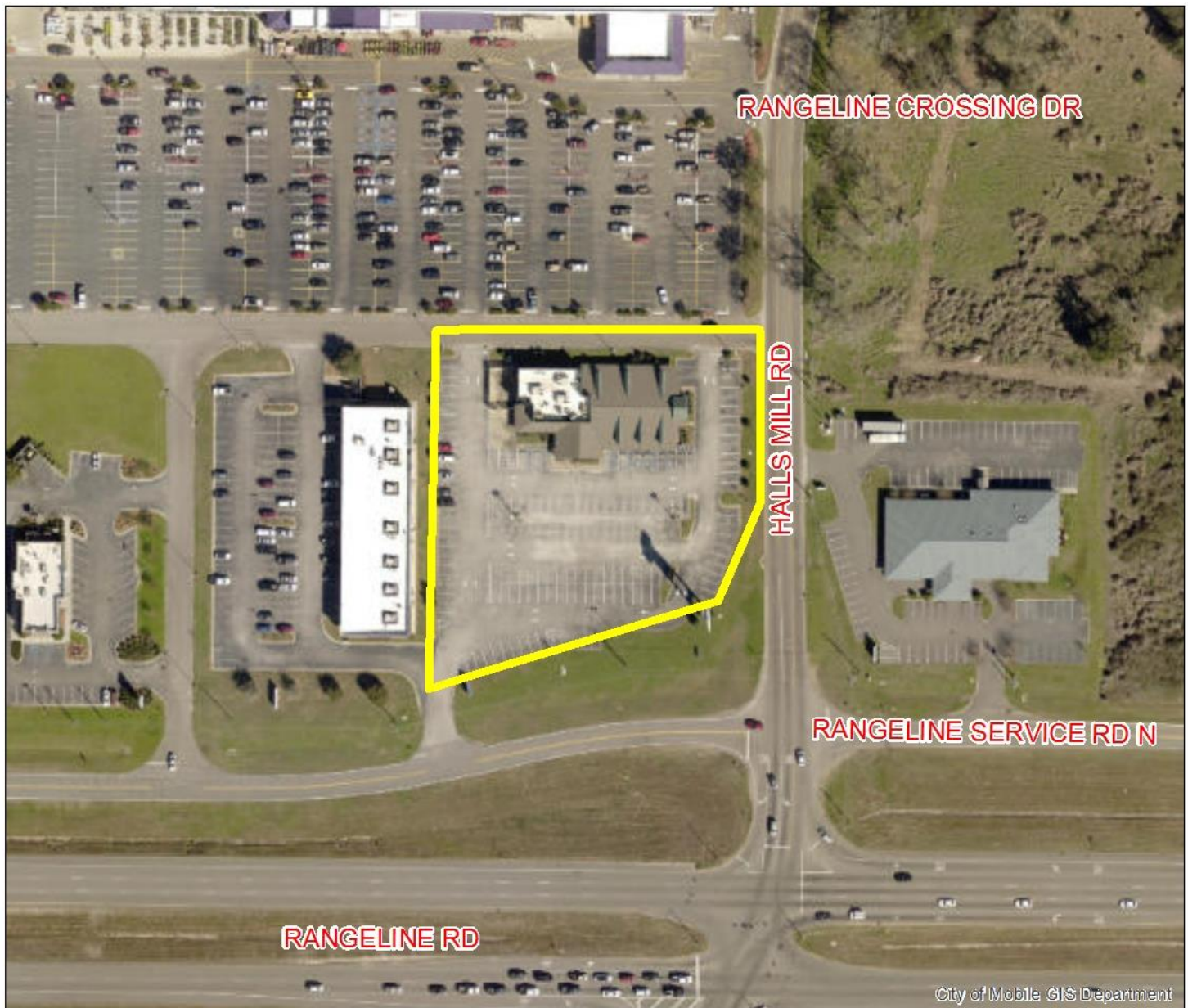
REQUEST Sign Variance

 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 AERIAL

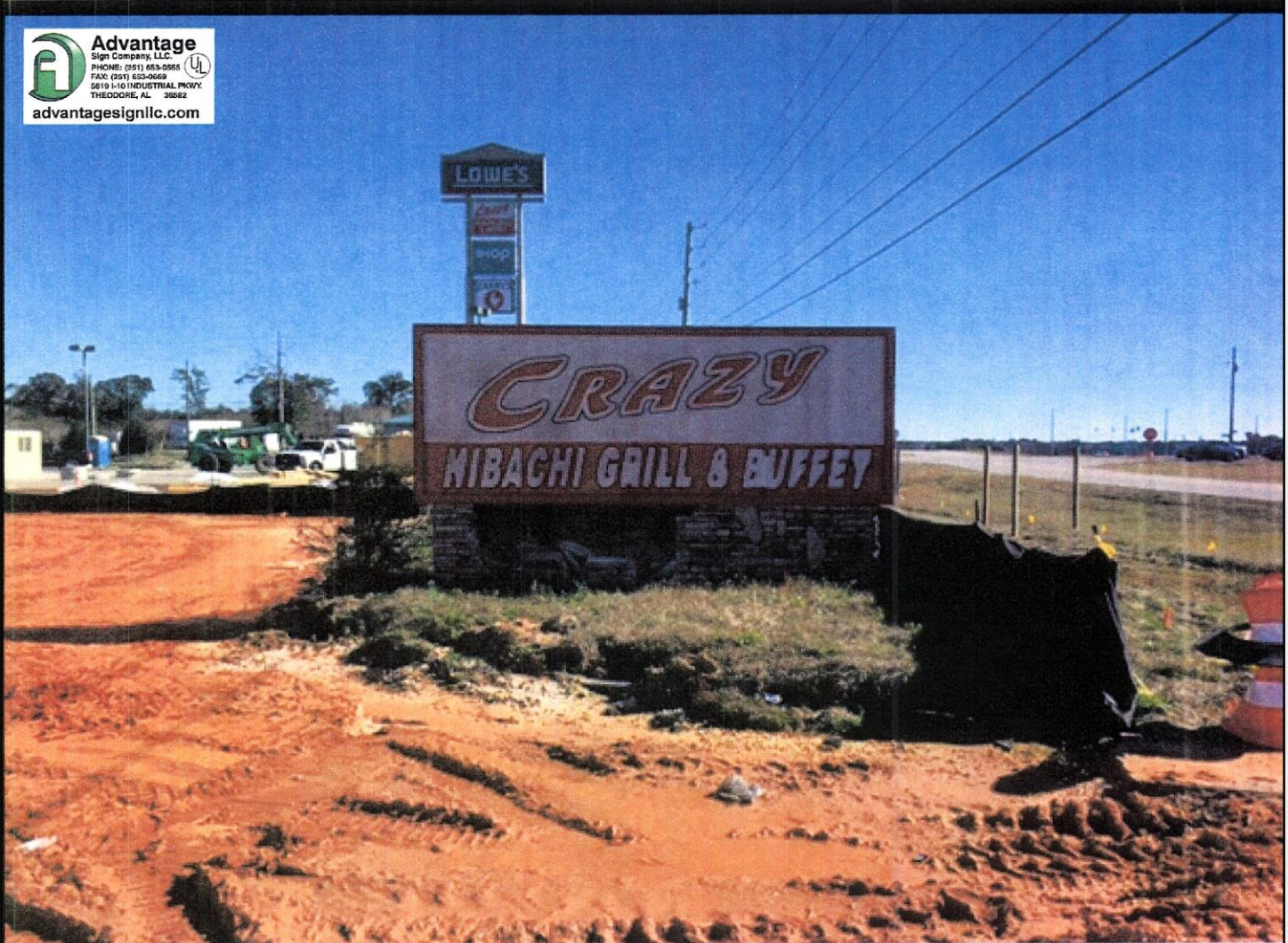


The site is surrounded by commercial units.

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 REQUEST Sign Variance



DETAIL SITE PLAN



THIS DRAWING MAY NOT BE REPRODUCED OR COPIED
WITHOUT THE EXPRESS WRITTEN CONSENT OF ADVANTAGE SIGN CO.

Customer: **Shoppes of Rangeline**

Date: 1-21-19

Scale: 1/4" = 1'

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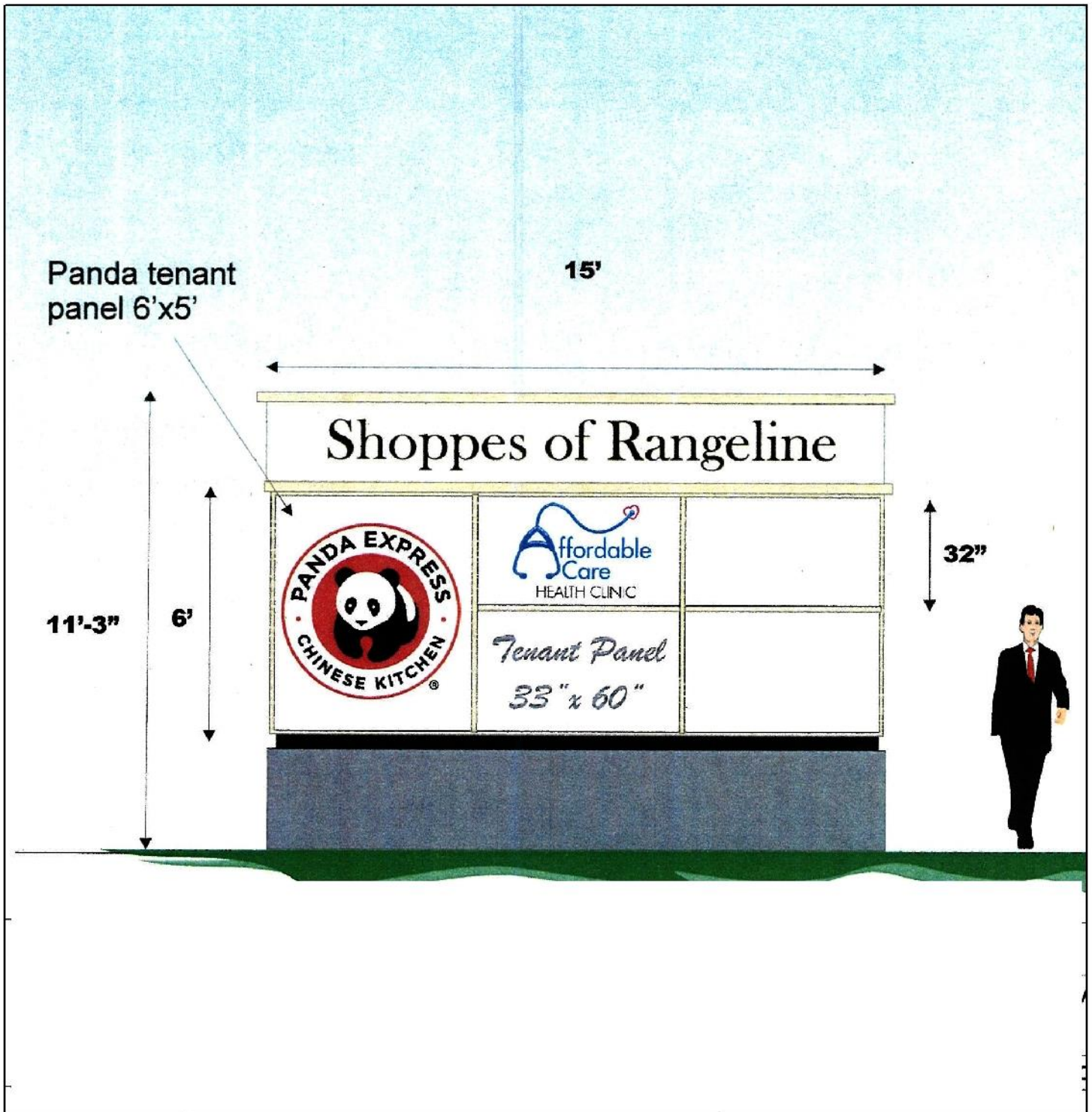
APPLICANT Advantage Sign Company LLC

REQUEST Sign Variance



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DETAIL SITE PLAN



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