

**BOARD OF ZONING ADJUSTMENT  
STAFF REPORT****Date: July 1, 2013****CASE NUMBER**

5841/5786/5591

**APPLICANT NAME**

Fravert Services, Inc.

**LOCATION**3725 Airport Boulevard  
(South side of Airport Boulevard, 260'± West of  
Montlimar Drive)**VARIANCE REQUEST****SIGN:** Sign Variance to amend a previously approved Sign Variance to allow a wall sign for a non-licensed educational component of a licensed business college at a multi-tenant commercial site in a B-3, Community Business District.**ZONING ORDINANCE  
REQUIREMENT****SIGN:** The Zoning Ordinance does not allow a wall sign for a non-licensed business component of a licensed business at a multi-tenant commercial site in a B-3, Community Business District.**ZONING**

B-3, Buffer Business

**AREA OF PROPERTY**

53.5± Acres

**TRAFFIC ENGINEERING  
COMMENTS**

No Comments

**CITY COUNCIL  
DISTRICT**

District 5

**ANALYSIS**

The applicant is requesting a Sign Variance to amend a previously approved Sign Variance to allow a wall sign for a non-licensed educational component of a licensed business college at a multi-tenant commercial site in a B-3, Community Business District; the Zoning Ordinance does not allow a wall sign for a non-licensed business component of a licensed business at a multi-tenant commercial site in a B-3, Community Business District.

The applicant was granted a Sign Variance in January, 2010, to allow a total of seven wall signs for Virginia College, modified to allow only one wall sign, but additional wall signs allowed if a City business license were obtained for the school component's proposed sign. The Café, a culinary school component of Virginia College, obtained a City business license and the

applicant installed a permitted wall sign in 2010 for such. The name of the operation has changed to Culinard and the applicant proposes to replace the existing Café sign with a Culinard sign. However, Virginia College no longer intends to maintain a City business license for that component. As a requisite for obtaining a sign permit, the named business must have an active City business license. A similar application to this one was approved by the Board at its October, 2012, meeting, but no sign permit was obtained, and that approval expired, hence this re-submittal.

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.

One of the intentions of the Sign Regulation Provisions of the Zoning Ordinance is to protect the general aesthetics of the city by controlling the proliferation of signage and to ensure the fair and reasonable application of regulations so that businesses are provided equal opportunities and not given undue advantages.

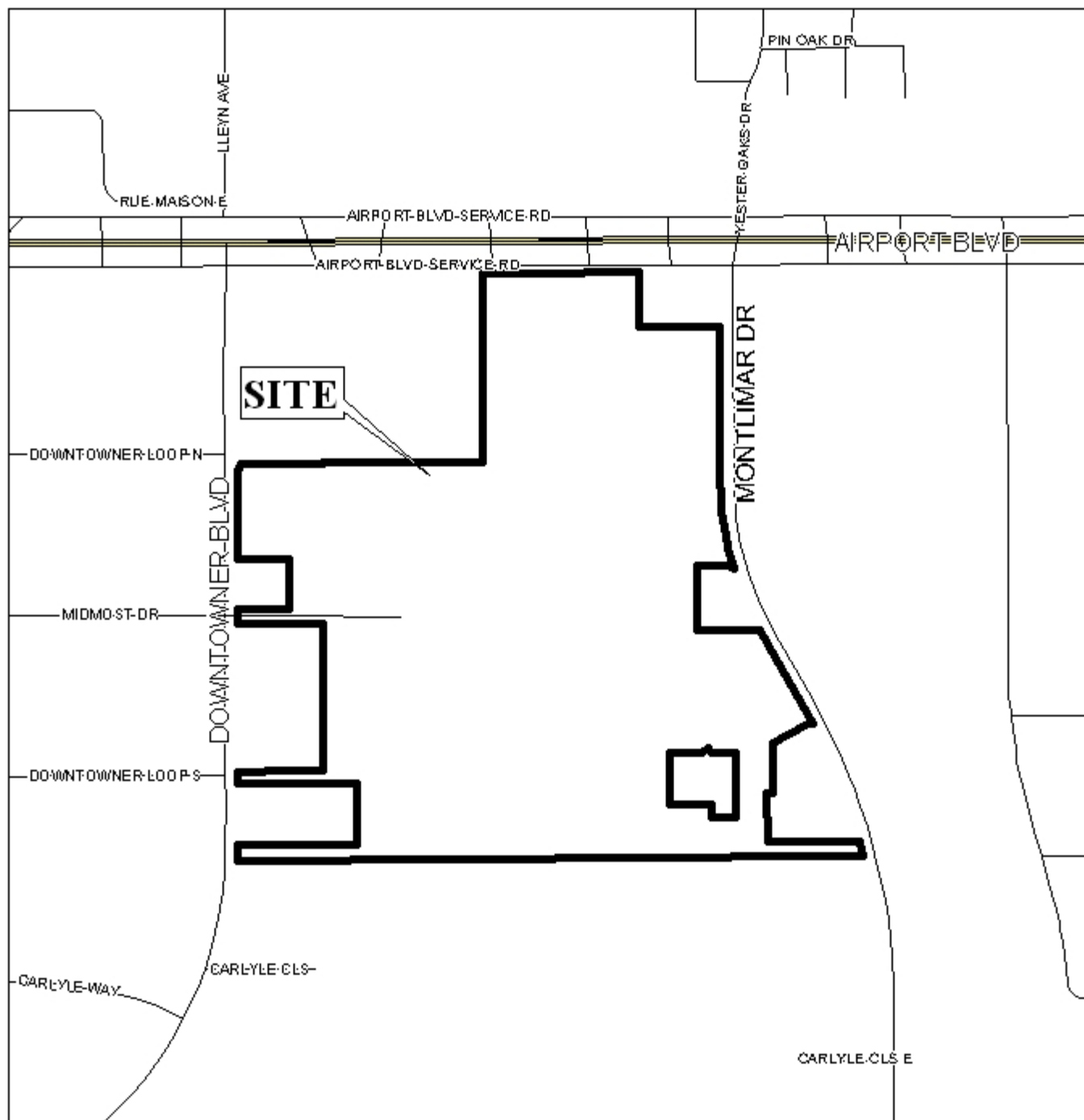
The applicant states that the college's space is one of the largest within the Mobile Festival Centre and is one of the few with adjacent exposed facades facing both the parking lot and Montlimar Drive. It is further stated that the college has multiple departments which are both educational and retail, as opposed to retail only. The applicant simply desires to have more signage than is allowed and has not demonstrated a hardship created by a literal interpretation of the Zoning Ordinance. However, due the Board of Zoning Adjustment's approval of the same request previously, it may appropriate for the Board to approve the current application.

**RECOMMENDATION:**

Based on the preceding, this application is recommended

for approval.

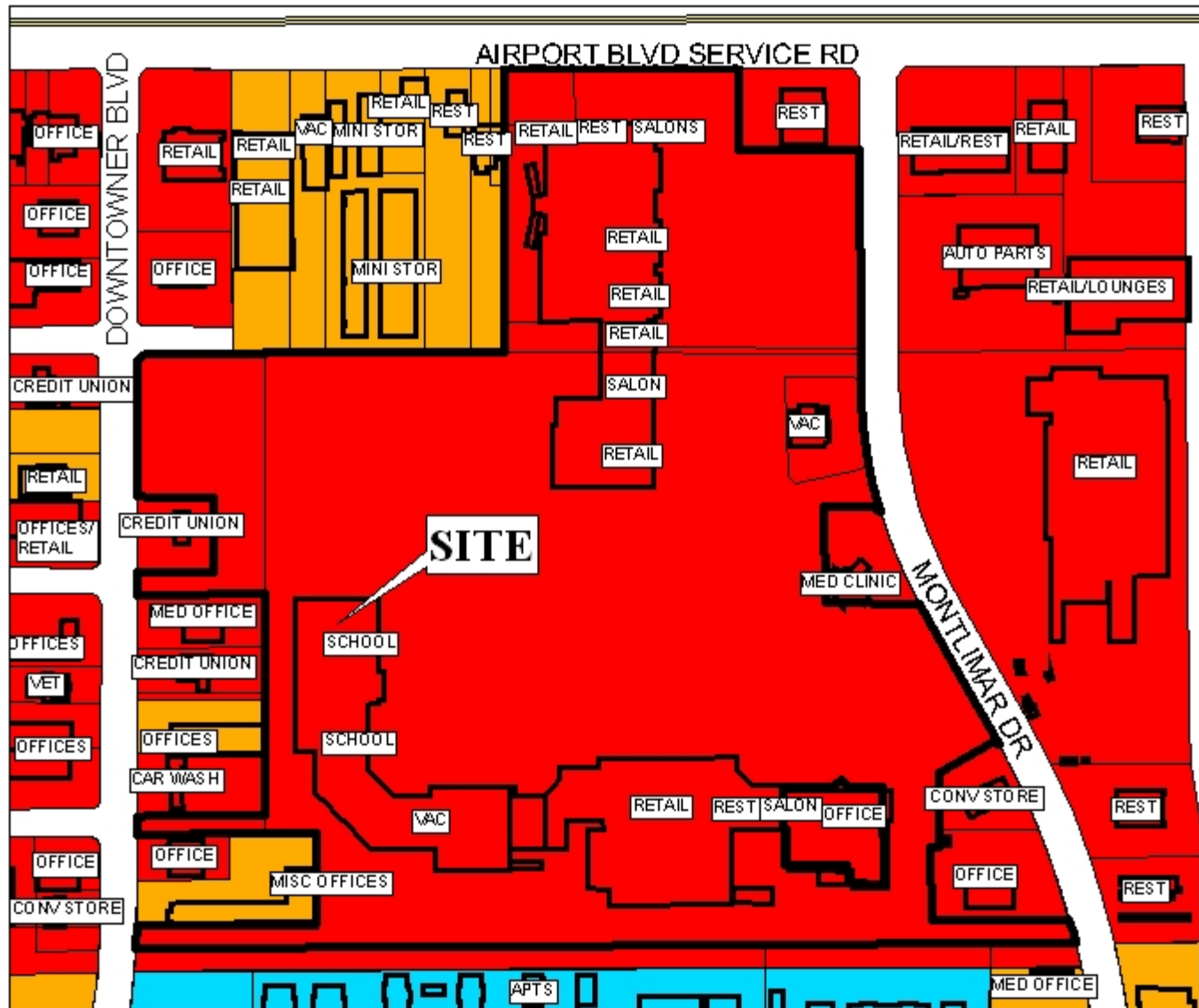
# LOCATOR MAP



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# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



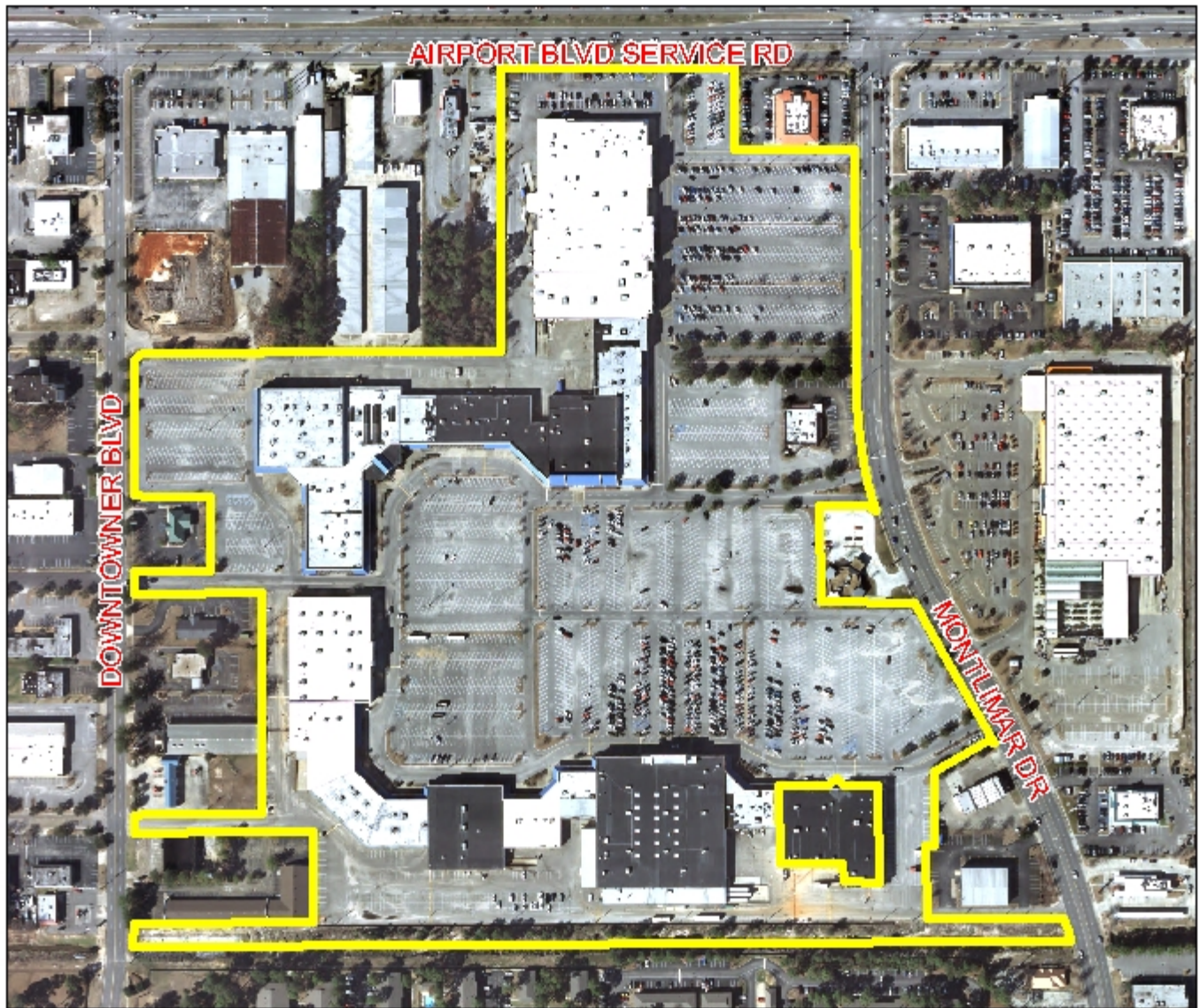
Businesses are located to the west and east of the site. Apartments are located to the south of the site.

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LEGEND               NTS

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

# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



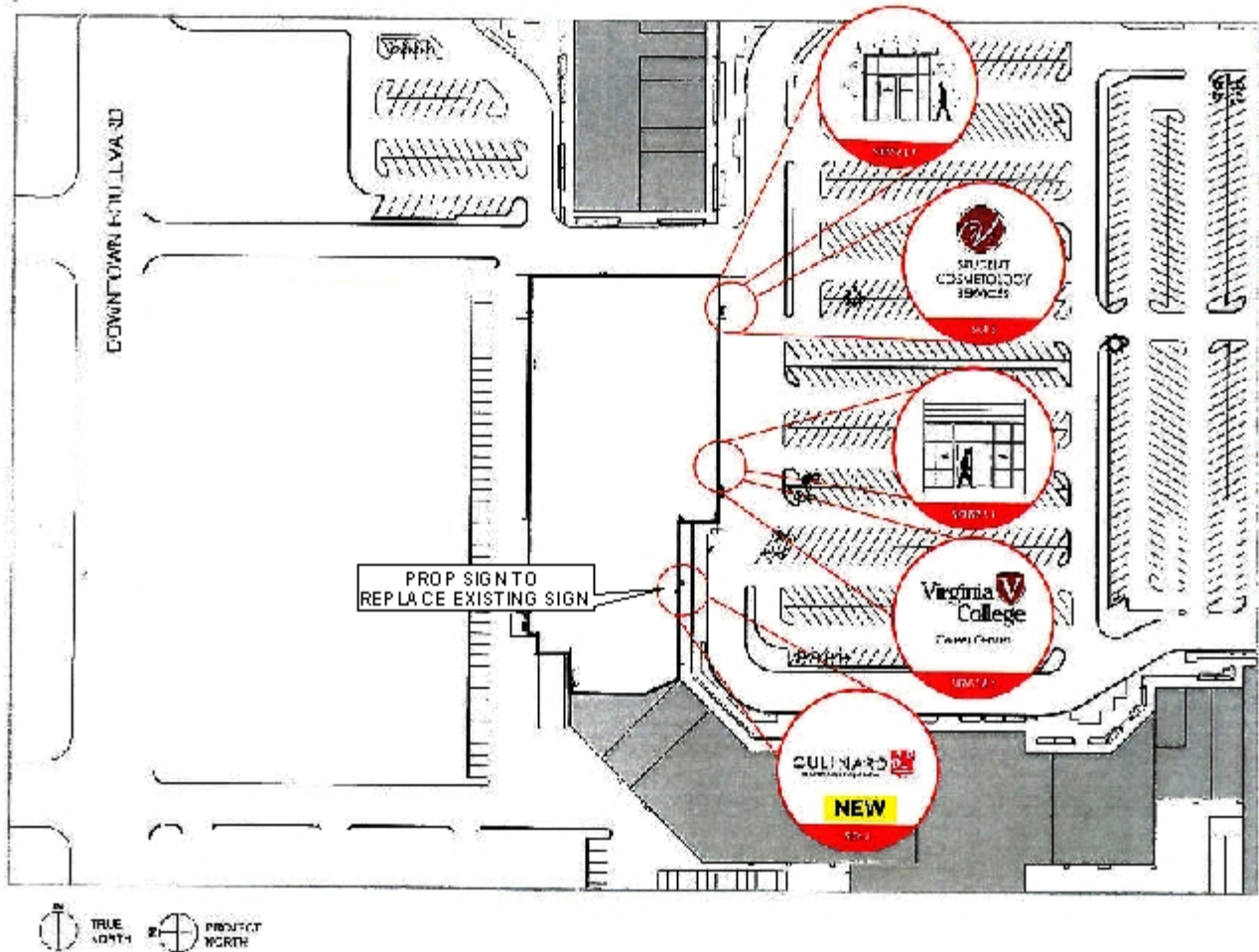
Businesses are located to the west and east of the site. Apartments are located to the south of the site.

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# SITE PLAN

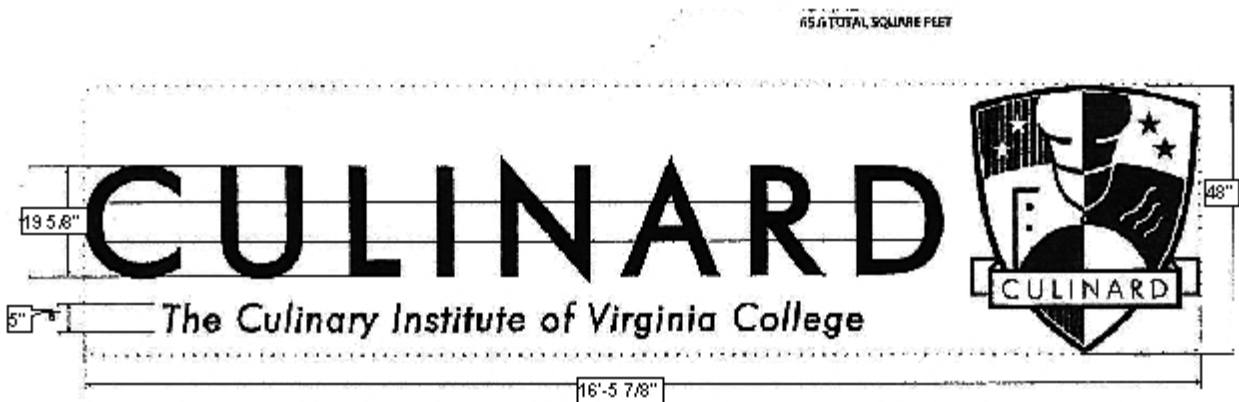


The site plan illustrates the existing and proposed signage.

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N  
 NTS

## DETAIL SITE PLAN



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N  
↑  
NTS